The flap over my *Playboy* interview with Carter, by Robert Scheer

Pumping gold: the rise of bodybuilder Arnold Schwarzenegger

OCTOBER 15, 1976 $1.00
THE FEATURE NEWS MAGAZINE

New Times®

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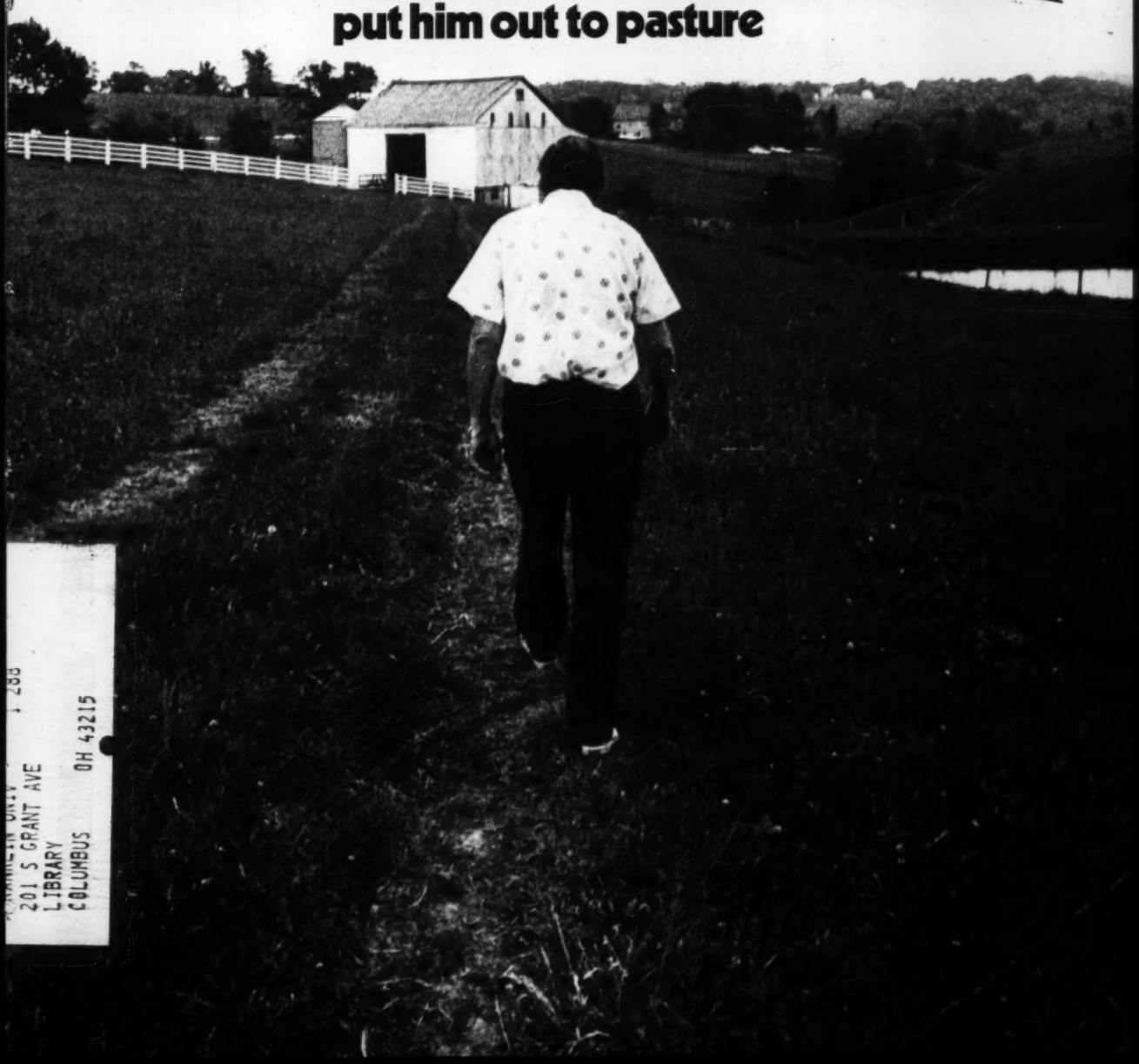
The Final Days of Wayne Hays

The inside story of how his friends and enemies put him out to pasture



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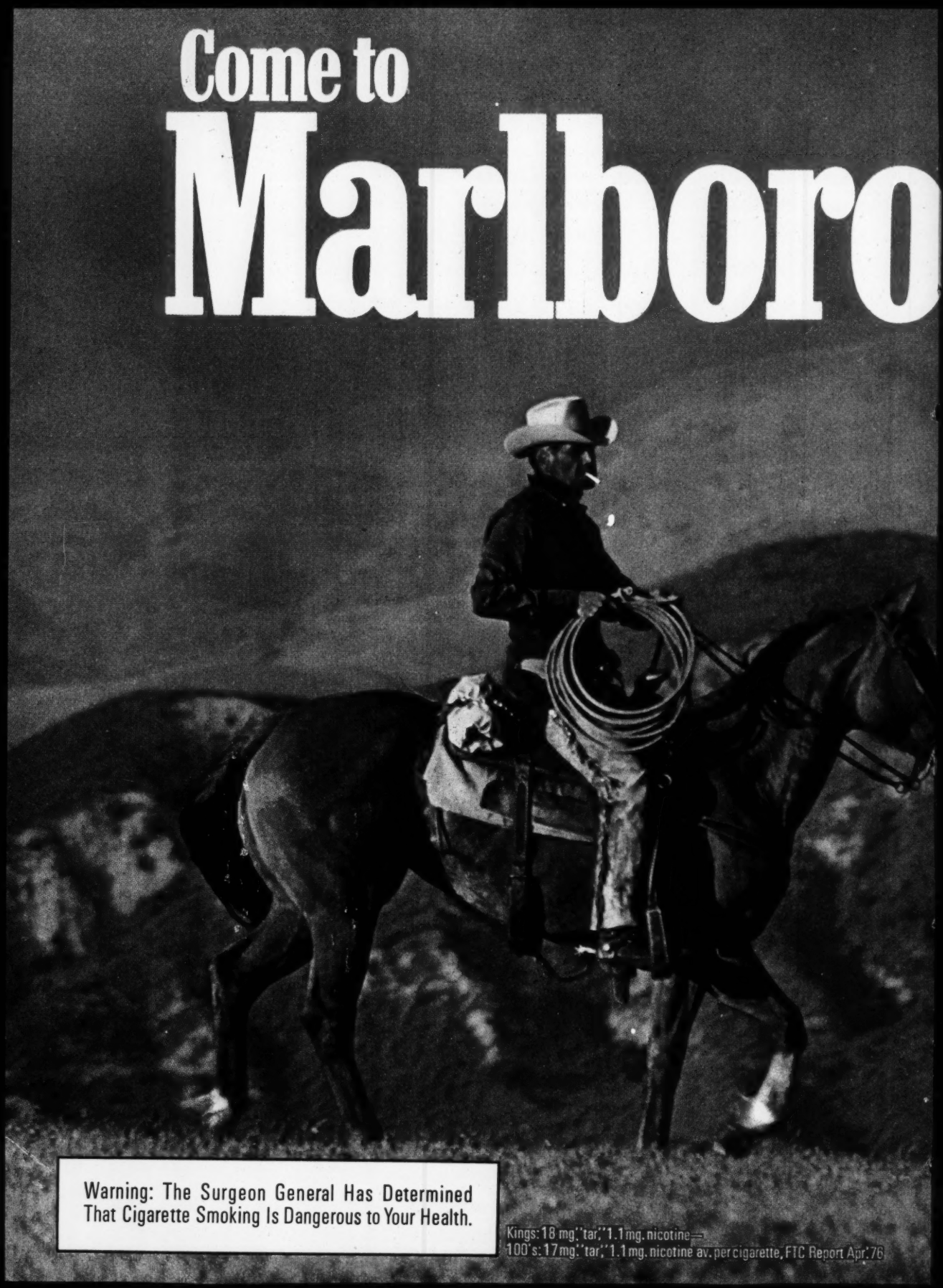
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Marlboro Red or Longhorn 100's—
you get a lot to like.

OCTOBER 15, 1976
VOLUME 7, NUMBER 8

NewTimes

How they put Wayne Hays out to pasture

Everybody hated Wayne Hays because of his seemingly limitless power. But after Liz Ray blew the whistle, a group of Democrats conspired to bring Hays down and discovered he was a paper tiger. This is the inside story of how Hays fought their attacks, only to be stripped of his authority.
By Robert Shrum
Page 36

COVER
PHOTOGRAPH BY DENNIS BRACK/BLACK STAR

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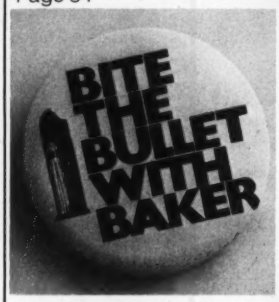
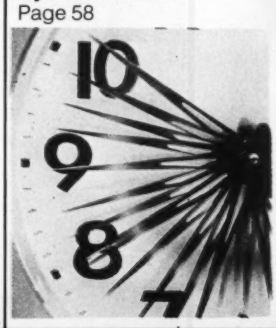
The other candidates

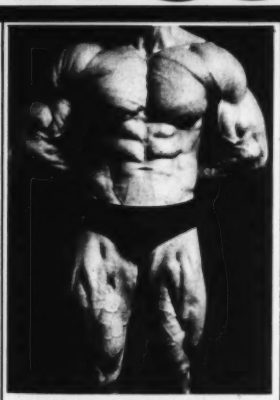
There might be a paucity of voters this year, but there's no lack of presidential hopefuls: 207 people have declared themselves candidates. The front-runners get their say every day. Here, *New Times* presents an overview of some of the election's dark horses.
By Paul Slansky
Page 54



The endless trial of IBM

US v. *IBM* is a landmark case; the very future of antitrust law and the computer industry are at stake. Yet after six years, millions of dollars and billions of pages, pitifully little has been accomplished.
By Arthur Lubow
Page 58





A sex symbol for the seventies?

Bodybuilder Arnold Schwarzenegger is muscling his way into the lavish and lucrative world of mass entertainment, and his fans are loving it.
By Cliff Jahr
Page 70

Mose Allison

For the past 28 years, piano-playing, cool-singing Mose has been the best known unknown in jazz. Now, at the tender age of 48, he's on the verge of a commercial breakthrough.
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Does masturbation cause idiocy?
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The moral of the story.
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By Robert Scheer
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Two directors focus on little people.
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To *Harper's Weekly*.
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What you get on the Fiat 128 that you can't get on the Datsun B-210 and the Toyota Corolla at any price.

You probably already know that both the Datsun B-210 and the Toyota Corolla offer a lot of standard equipment for the money. What you may not know is that the Fiat 128 gives you standard equipment that isn't available on these Japanese cars no matter what you'd be willing to pay.

It is this standard equipment (displayed above) that makes the Fiat 128 such a remarkable driving experience. The front-wheel drive makes it exceptional in the snow. And mounting the engine transversely creates more room for passengers and luggage in the 128 than in either of the Japanese models.

And there are other differences in the Fiat as well.

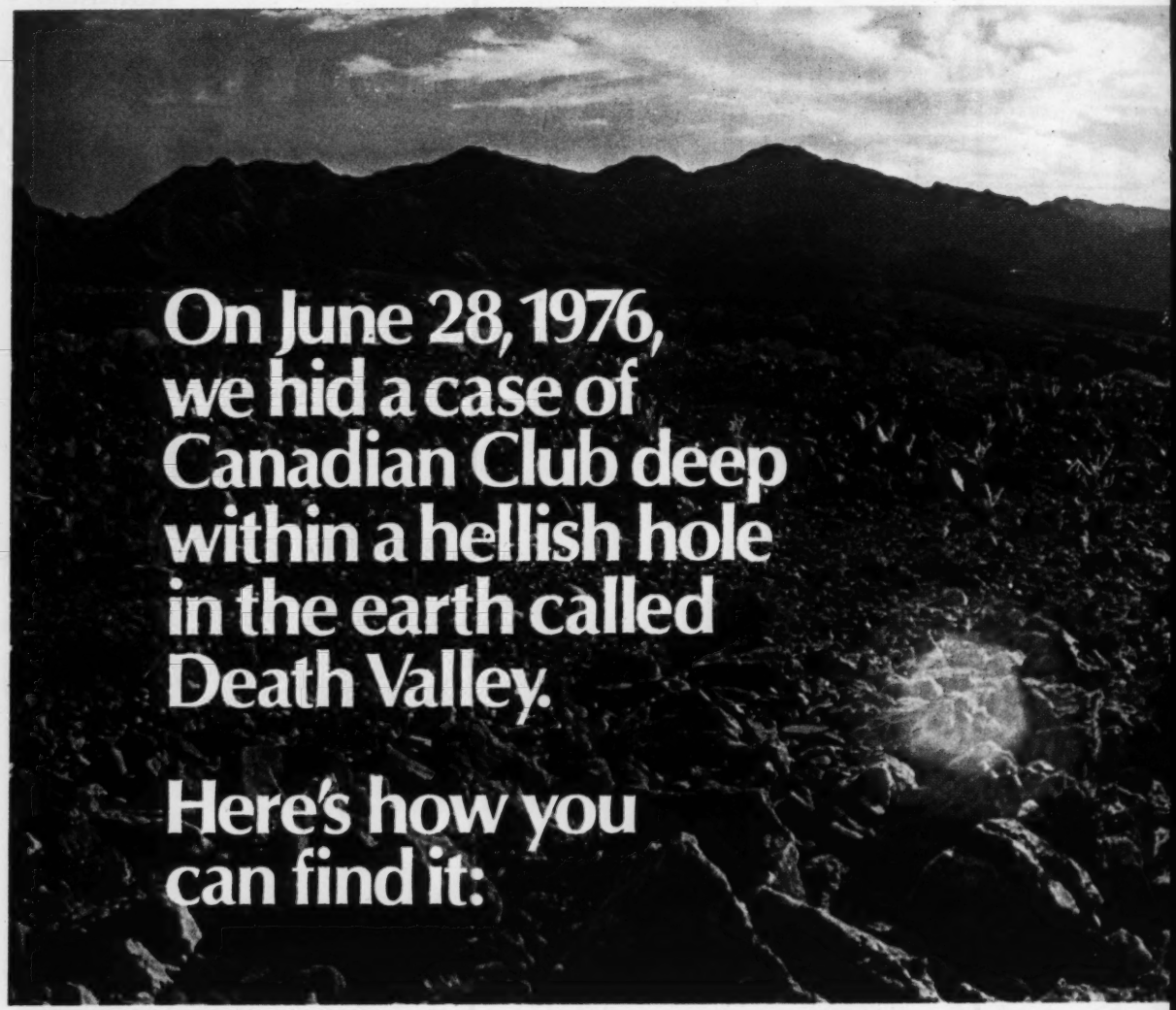
The only way to know exactly what you're buying is to drive all three cars. And check the prices of all three cars.

If we don't get you one way, we'll get you the other.

FIAT

A lot of car. Not a lot of money.

Car rental, leasing, and overseas delivery arranged through your participating dealer.



On June 28, 1976, we hid a case of Canadian Club deep within a hellish hole in the earth called Death Valley.

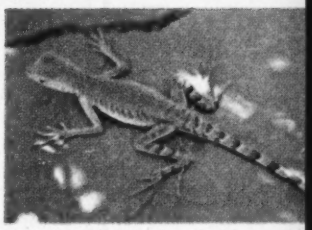
Here's how you can find it:

Even rugged Bighorns venture into the Valley with trepidation.

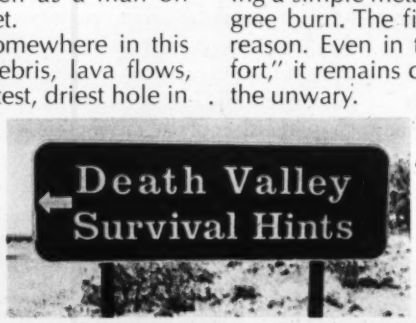
The names of Death Valley are names born of despair: Furnace Creek, Lostman Springs, Coffin Canyon, Funeral Mountains. One acrid, brackish pool called Badwater is actually 280 feet below sea level — which is just another way of saying as close to Hell as a man on earth can get.

And somewhere in this desolate jumble of earthquake debris, lava flows, sand dunes and salt flats—the hottest, driest hole in the Western Hemisphere—is hidden a case of the wettest whisky in 87 lands: Canadian Club. If you're up to the adventure, you might try to find it.

A Sober Warning:
Please be warned before you set out, you'll be trespassing in a world apart. A world where 120° in the shade is common. Where surface temperatures of 190° can melt the rubber soles of your shoes. And your bare hand touching a simple metal tool can mean a painful third degree burn. The fierce desert heat twists and warps reason. Even in this age of "air conditioned comfort," it remains capable of snuffing out the lives of the unwary.



Some Valley residents have had thousands of years to adapt to its desolate conditions.



Your Route to the Treasure:
Head south out of Furnace Creek. Past Badwater. Past Devil's Golf Course. Past Dante's View. South of Saratoga Springs, turn right on the road just outside the boundary of the Death Valley National

6 YEARS OLD. IMPORTED IN BOTTLE FROM CANADA BY HIRAM WALKER IMPORTERS INC., DETROIT, MICH. 86.8 PROOF. BLENDED CANADIAN WHISKY. © 1976.

The relentless desert sun plays tricks with the camera's eye near Furnace Creek.

Monument. In less than a mile, you'll find an old road that leads straight up into the hills. Soon you'll come to a fork. To the left the old road continues. To the right it becomes a wash. Up that wash is a shady spot where you can rest before starting your final assault.

The actual case of C.C. being buried 18 inches beneath the desert floor.

While you're sitting there, you'll notice an ancient rock through which centuries of relentless erosion have carved a natural hole. Proceed 144 paces up the wash from that rock. Then turn toward the setting sun. Now take thirteen more paces toward that ball of fire that's been trying to drive you out of the Valley all day.

Your Final Reward:
You'll have to dig around a little to find our Canadian Club. And in Death Valley that can mean a fifth of sweat an hour. But that's why we hid a whole case. Because by the time you find it, you'll have a thirst for more than mere adventure.

Canadian Club

"The Best In The House"® in 87 lands.

What Dual owners know about their turntables that you should know about yours.

Most present Dual owners started with a less expensive brand. Then they learned how much the tonearm could diminish the sound and life of their records. And since there's no way to repair a damaged record, they decided to entrust their records in the future to nothing less than a Dual.

Among the reasons are these. Every Dual tonearm—from the 1225 to the new CS721—is designed and built to the same exacting standards. All are straight-line tubular for maximum rigidity and minimum mass, all maintain dynamic balance throughout play. All have the same precision system for applying stylus pressure (around the vertical pivot and perpendicular to the record at all times) and all have the same multi-calibrated anti-skating system (self-compensating for groove diameter).

Dual owners also know that their turntables are not only precision-made, but rugged as well. Chances are that your Dual, like theirs, will outlast all your other components. And like them, you to will find that your Dual ultimately will be the least expensive turntable you could ever have bought.

Dual 1249.
Single-play/multi-play. Fully automatic start and stop, continuous repeat. Belt drive. Less than $280. Other Duals range from the 1225 at less than $140 to the new direct-drive CS721, less than $400.

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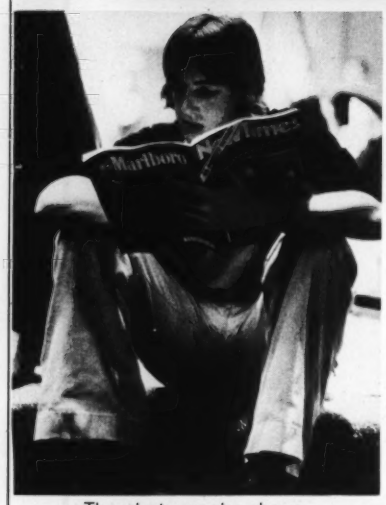
Behind The Scenes



DENNIS BRACK/BLACK STAR

The photographs above suggest, if nothing else, that *New Times* has broadened its readership considerably during this political season—and for good reason. Except for the news weeklies, we have run more political coverage this year than any other national magazine, beginning with Marshall Frady's excellent survey of all the Democratic candidates back in February. Political editor Robert Sam Anson covered Humphrey's last hurrah and the Reagan phenomenon (that's Reagan's son Ron reading immediately above). Anson also wrote two key articles on Jimmy Carter: an entire issue entitled *Looking for Jimmy* (Carter himself is reading it at the top with press secretary Jody Powell), and an investigation into Carter's rock music friends in Macon, Georgia. Robert Shrum, who for a spell served as Carter's speechwriter on the road, wrote the first incisive, inside look at Carter and his campaign, and then a second article on how Carter had engineered his nomination. West Coast editor Robert Scheer wrote a cover story on Jerry Brown which we published just days before his big primary victory in Maryland. (Most recently, of course, Scheer published in *Playboy* an interview with Carter that has alarmed every hypocrite, not to mention millions of voters. For Sheer's own comments, see page 16.)

All in all, it is a record we are very proud of as we end our third year of publication with this anniversary issue. Besides the full plate of political coverage, we've featured an interview with Bill and Emily Harris, by Robert Scheer and Susan Lyne, which prosecutor Browning said was decisive in winning his case against Patricia Hearst; Jesse Kornbluth's seminal profile on Werner Erhard of est; Robert Ward's uninhibited look at America's hottest porn publisher, Larry Flynt of *Hustler;* David Black's examination of seventies communes; and, most recently, Andrew Kopkind's report on the new sexual alchemy symbolized by Renee Richards.

During our third year, we were nominated for reporting excellence in the prestigious National Magazine Awards (for Michael Parfit's look at America's New Poor in July 1975); grew to 300,000 circulation and a total audience of more than 1,500,000; and increased our number of advertising pages by 52 percent over the previous year. This month alone we have added schedules from such advertisers as Beefeater Gin, Chivas Regal, Ford, Canadian Club and Myers's Rum. The issue you are holding in your hands is our fattest ever, with 98 pages.

So, to you, the readers who have made all this possible, HAPPY ANNIVERSARY!

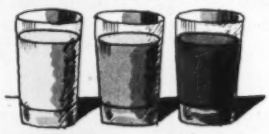
George A. Hirsch

RUM REVELATIONS.

Surprising facts every rum drinker should know.

Ah, what rum drinkers don't know about rum. So Myers's thinks it's time to raise some eyebrows.

The first fact of rum. Rum comes in three shades: white, gold, and dark. Some light rums are blended to have a barely noticeable taste. Their flavor might fade in the drink. But Myers's is blended specially to be more flavorful. The Myers's comes through the mixer.



Another surprise. Dark rum isn't any stronger than light rum. Both are the same alcoholic proof. So Myers's isn't any stronger, even though it has a tastier rum flavor.

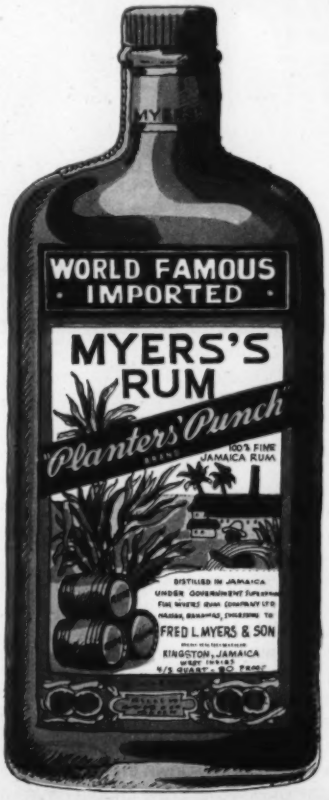
More revelations. Myers's is more expensive. It's imported from Jamaica where it's

made slowly, in small batches. The richer taste is worth the time. And the price.

Still another little known fact. Caribbean bartenders mix Myers's into exotic drinks made with lighter rums. They trust Myers's to enhance the flavor. So discover for yourself the dash that Myers's adds to a simple Rum & Cola. The

extra punch Myers's adds to a Planters' Punch. Here are the recipes for your pleasure.

Myers's Planters' Punch: Combine in shaker, 3 oz. orange juice, juice of ½ lemon or lime, 1½ oz. Myers's. Add 1 tsp. superfine sugar and dash of grenadine. Shake well and serve in tall glass filled



with ice. Add orange slice, cherry.

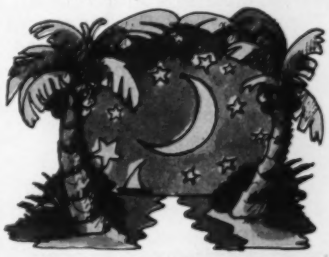
Myers's Rum and Cola: Into a highball glass, add 1½ oz. Myers's Rum. Fill glass with cola beverage. Add slice of lemon or lime, and stir.

And finally, one last point. Dark rum is better to use in cooking than light rum. Myers's adds a fuller rum flavor to foods. Try sprinkling Myers's over grapefruit halves. It's a simple way

to create an interesting first course. Myers's makes so many rum recipes even more delicious.

So now that you know the facts, your choice should be clear: Myers's Rum.

Because if you like rum, it's time you discovered the pleasures that wait for you in the dark.



Next to Myers's All other Rums Seem Pale.

Imported by Seagram Distillers Co., 375 Park Avenue, New York, N.Y. 10022, 80 Proof.

Slow Down

Does masturbation cause idiocy?/By James S. Kunen

I was perusing some women's magazines—a task I conscientiously undertake in order to keep in touch with popular culture, spot sociological trends and look at the underwear ads—when I came across some good news in *Viva*.

Viva, published by the same company that puts out the man's one-hander *Penthouse*, announced that it will no longer print pictures of naked men in their entirety. The editor's column explained that a couple of studies, as well as reader mail, indicated that only a small minority of women like male nudity in magazines. In a test group of college students, after reading one copy of a magazine featuring male nudity, one-third of the female subjects "claimed to feel 'cheap' and 'guilty.'"

Who doesn't? But the *women* said they wouldn't buy such magazines, and *Viva* won't be selling them.

Bravo! I thought. I always suspected women were different from men. Not for women the endless grasping for what one cannot have, the obsessive search for some fantasy that is the creature of the ad man and the airbrush! None of that adolescent bullshit for them. Women really *live* the maxim that for me remains an elusive ideal—"Keep it 3-D."

Or so I thought. But upon further inquiry I learned that women do respond to Kodacolor men with staples in their waists, and do buy magazines featuring them, and presumably do buy the products the nudies are there to sell. *Playgirl* runs nudes and has a circulation of 1,200,000 and a claimed readership of 7,000,000. *Playgirl* commissioned a poll of 18- to 35-year-old urban women and found that 75 percent enjoyed looking at male nudity. That figure is supported by *The Report of the Commission on Obscenity and Pornography*. It includes recent studies in which pictures "explicitly depicting heterosexual activity" generated sexual arousal in 86 percent of males and 72 percent of females.

The report suggested that the supposed lack of female enthusiasm for erotic materials is attributable to the fact that women tend to *disapprove* of them.

That disapproval may explain *Viva*'s negative findings. Anyway, *Viva* had other reasons for dropping the nudes: drugstores and supermarkets would not stock the magazine, and feminine product advertisers did not want to pay to reach the gay men who comprised 25 percent of *Viva*'s readership.

But the success of *Playgirl* suggests that women are doing what men concededly do. And, indeed, 82 percent of *Playgirl*'s readers responding to a poll say that they masturbate regularly.

In fact, it seems that all America masturbates regularly. According to Morton Hunt's *Sexual Behavior in the 1970's*, more people are masturbating, and feeling less guilty about it, than ever. But not without instruction: masturbation manuals are selling well. Betty Dodson, the author of *Liberating Masturbation: A Meditation on*

Self-Love, "runs workshops in which she gives lectures, demonstrations, rap groups, and slide shows," according to a report in *New Dawn*. (Needless to say, the workshops are held in California.) As is the custom with liberating activities, this one is fast becoming a *duty*. "Anyone who doesn't do it I suspect somehow hates her own body," one woman told journalist Mopsy Strange Kennedy. Dodson decries women's sad habit of including men in their sex lives at all.

Annie Lee in *Viva* recently called for the breaking of the "last taboo." Apparently, the last taboo is against a woman's masturbating while a man is making love to her. I suspect that more taboos will turn up down the road, but that the putative last one should have to do with masturbation shows what prominence that activity has attained in the public press/public mind.

D.H. Lawrence published an essay in 1930 entitled *Pornography and Obscenity*, which deals extensively with masturbation and seems to speak to our time. "[T]he mass of our popular literature, the bulk of our popular amusements just exists to provoke masturbation," he lamented. "The one thing that it seems impossible to escape from, once the habit is formed, is masturbation. . . . And it always carries this secret feeling of futility and humiliation, futility and humiliation."

Recognition?

"[M]asturbation is certainly the most dangerous sexual vice that a society can be afflicted with, in the long run," he warned. D.H. Lawrence was a funny guy.

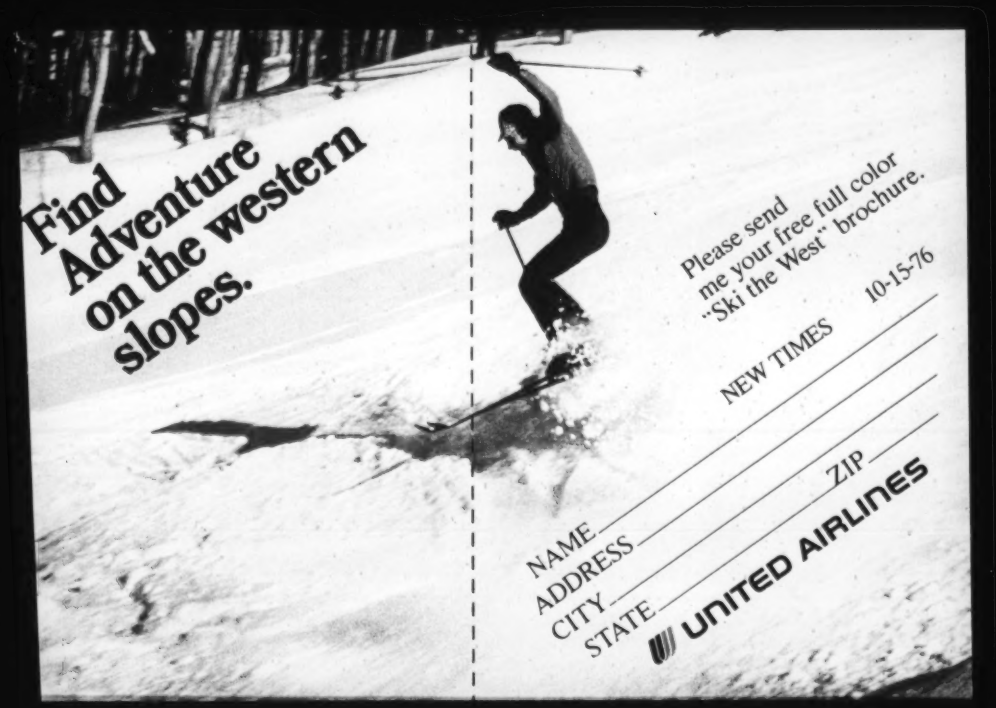
"In sexual intercourse there is a give and take. A new stimulus enters as the native stimulus departs. . . . And this is so in all sexual intercourse," including homosexual intercourse. "But in masturbation there is nothing but loss. There is no reciprocity," he explained.

Lawrence described an entire consciousness that is engendered by masturbation. "The outstanding feature of such consciousness is that there is no real object, only subject. This is just the same whether it be a novel or a work of science. The author never escapes from himself, he pads along within the vicious circle of himself. There is hardly a writer living who gets out of the vicious circle of himself—or a painter either," he wrote.

"Today," Lawrence declared, "practically everybody is self-conscious and imprisoned in self-consciousness. . . . [T]he doom of self-enclosure [is] the doom of our civilization. . . ," for the masturbation self-enclosure produces "a state of general idiocy."

Ain't that the state of the Union? As Tom Wolfe put it, we live in the "Me Decade." A virtue has been made of thinking about, talking about and cultivating the self, in T-groups, sensitivity training, encounter groups and all the franchised therapies and short-order religions from coast to coast. Everyone's lifetime occupation is to find, define, preserve, protect and defend, love, cherish and obey Me. Of Me. By Me. For Me. A jerk-off society.

Is masturbation driving America to idiocy? *Something* certainly is.●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I've got it! I've got it! I mean United's got it!
Hello, Travel Agency?
Mary and Linda had been wondering how to spend their vacation, when seeing a United ad, Linda sent for our "Ski the West" brochure.* When it arrived, one look told her she had the solution. Mary thought so too. So they called a Travel Agent for their United ski package.
TWO WEEKS LATER...
United's lift tickets will get us up the mountain...
...and our ski lessons will get us down!
Hey, He's cute.
So, this is après skiing.
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Never thought I'd need a bikini at a ski resort.
Looking for new slopes to conquer, they drive off in their Hertz 'Skierized' Ford.

*Send for United's free full-color 88 page "Ski The West" Brochure: United Airlines, P.O. Box 27, Glenview, Illinois 60025. Includes rates and 23 popular resorts, plus many options. And skiing isn't just skiing. It's discotheques, entertainment and you name it. Ski lessons and Hertz "Skierized" Ford optional.

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Kirkwood · Northstar-at-Tahoe · Park City
Snowbird · Snowmass · Squaw Valley USA · Steamboat
Sun Valley · Taos · Telluride · Vail · Winter Park

The friendly skies of your land.

UNITED AIRLINES

Introducing Fact Menthol. The low gas, low 'tar'.

You might not know it, but cigarette smoke is mostly gas—many different kinds. Not just 'tar' and nicotine.

And, despite what we tobacco people think, some critics of smoking say it's just as important to cut down on some of the gases as it is to lower 'tar' and nicotine.

No ordinary menthol cigarette does both. But Fact does.

Fact is the first menthol cigarette with the revolutionary Purite® filter. And Fact reduces gas concentrations while it reduces 'tar' and nicotine.

Read the pack. It tells how you get the first low gas, low 'tar' smoke with good, menthol taste.

And that's not fiction. That's a Fact.

Fact is the first menthol cigarette with Purite granules.

The *selective* filtering agent.

Selective.

That means it reduces specific gases in smoke that taste bad.

Without removing the elements that taste good.

So, for the first time, you get low gas, low "tar," and satisfying taste in a menthol cigarette.

Fact: The low gas, low "tar."

Available in regular and menthol.

Fact Menthol: The low gas, low 'tar.'

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Regular: 14 mg. "tar," 1.0 mg. nicotine. Menthol: 13 mg. "tar," 1.0 mg. nicotine, av. per cigarette, by FTC method.

Fulminations

The Great Debate: round 1 / By Larry L. King

Carter quickly moved out of his corner and smote Ford with a nasty smile to the peabrain. Ford waved to the crowd to show he wasn't hurt and just missed with a looping overhand grimace. They stood in the center of the ring and traded clichés until referee Edwin Newman warned each contestant against the use of low grammar.

President Bumble confessed to looking on balanced budgets with lust in his heart, but admitted he'd never followed through on the temptation. Candidate Pious said the thought was as evil as the act itself. In rebuttal, President Bumble labeled himself as a man of the highest standards.

Candidate Pious revealed that the rich make more money than the poor and get to keep more of it. President Bumble said such fuzzy-thinking radicalism made him proud to be a Republican and then accused Carter of being a Democrat. Carter, stung, back-pedaled and looked surprised. This was something of which Mo Udall had never accused him; he looked toward his manager, National Chairman Bob Strauss, for instructions. Strauss yelled he'd be back to Carter just as soon as he'd consulted his old pal John Connally. Carter gave the impression of rapidly losing confidence.

Liz Drew asked Carter where he was gonna get the money to finance his many social schemes. Candidate Pious grinned and said she ought not to worry about it, and to trust him. Liz said that wouldn't do. Jimmy's grin detached itself as he said, well, to get down to specifics, if it turned out there wasn't enough money, why, then, he'd spend real good but real slow.

Frank Reynolds embarrassed the only President we've got by asking him how come he could pardon a no-goodnik like Nixon and fail to pardon young men who'd run off to Canada rather than go get killed in Vietnam. President Bumble said don't forget that Nixon had never dodged a draft in his life and, indeed, had been in the Navy. Candidate Pious said he'd been in the Navy, too. President Bumble couldn't remember whether *he'd* been in the Navy, but did recall that by-and-large he'd always been pretty much against Hitler. Both men dodged the issue of Matsu and Quemoy.

Candidate Pious volunteered how he'd so trimmed the budget as governor of Georgia that we might solve the energy crisis simply by burning the shavings. On the other hand, he accused the Nixon-Agnew-Ford White House of increasing its operational costs from $3 million to $60 million. (This was grossly unfair of Mr. Carter, he knowing full well that much of the increase went for bail-bond money and need not necessarily remain a continuing expense.) Mr. Ford cleared his throat

JIM ANDERSON/WOODFIN CAMP

and mumbled that he'd inherited certain unfair disadvantages from his predecessor. He did not mention who his predecessor was. He ultimately would fail to mention who his predecessor was 227 times. This tied the record originally established at the recent GOP Convention.

President Bumble suddenly burped it up that "we'll have decreases in disbursements." That is a direct quote. Carter said maybe he would, too. They hotly accused each other of liking to spend money. Ford mentioned the Gross National Product several dozen times but failed to say whether he was for it or against it. Jimmy spoke for both sides of the question.

President Bumble came out four-square for the atomic bomb. Jimmy reminded everybody that he was a nuclear engineer hisownself, and while he personally didn't have anything against the atomic bomb, he thought maybe we'd do better in solving the energy crisis by using coal, oil and sunshine. Ford said yes, but these ought to be developed by the private sector and not by the government. He indicated he'd find it particularly odious should the government get to messing around with the sun. Carter said, well, the government had gone to the *moon* and it had turned out all right. Ford said yes, but the moon and the sun are two different things. Carter reminded him that they'd both been created by the same Being and opined that only God could make a tree. Ford appealed to the referee, claiming he'd been hit below the belt by poetry.

Ford gratuitously attacked inflation and spending, which flags by now lay in tatters and had been bipartisanly stomped on. The President bragged of having committed 56 vetos and of having gotten away with it 42 times. Jimmy said he could get away with vetos, too, but he loved humanity too much.

Ford said speaking of integrity, he'd restored it to the White House his very first day and if anything crooked went on in Washington it was because Congress was so full of thieves. This qualified as expert testimony, President Ford having served in Congress for 25 years. It was not a thing Mr. Carter seemed inclined to dispute.

In the final summations, Mr. Ford strongly endorsed checks-and-balances. Mr. Carter ended by speaking arithmetically. He said Mr. Ford had managed to pass only 26 percent of his legislative programs and then had turned around and vetoed half of 'em. Mr. Ford appeared to take this as a compliment.

Near the end the sound went off coast-to-coast for about 27 minutes. This equally benefited both candidates and probably hurt the Republic only marginally. As for television, it may have been its finest half-hour. ●

Party Lines

Getting down to business/ By Robert Sam Anson and Robert Shrum

It was, as times go, a rather ordinary fortnight in the history of the Republic.

Monday, September 13, dawns bright and clear in Washington. Over the weekend, a taxpayer's group has announced that Congress spent nearly $1 billion on itself in the last fiscal year. Few congressmen are available for comment. In L.A., 16 policemen have been accused of having sex with six teenage Explorer Scouts.

On Tuesday, Carl Albert, the Speaker of the House, announces that Congress will begin investigating the assassination of John and Robert Kennedy, as well as that of Martin Luther King, amid continuing speculation that the CIA and/or the FBI may have had a hand in the killings. "Congress will probably have to do something about it," Mr. Albert is quoted as saying. A committee of the National Academy of Sciences reports that unless aerosol sprays are curbed, the earth's ozone layer will be depleted, increasing the incidence of skin cancer. In response, a spokesman for the aerosol manufacturers protests "an unwarranted attack on the industry."

The next morning, CBS news correspondent Daniel Schorr appears before the House ethics committee's investigation of the leak of the Pike Committee Report. Schorr refuses to divulge his sources. Rep. John Flynt (D.-Ga.) threatens Schorr nine times with contempt. Schorr remains silent.

On Thursday, another ethics committee, this time in the Senate, votes to take no action against Hugh Scott, the Republican minority leader, who is charged with accepting contributions from Gulf Oil. Before taking its vote, the committee decides not to hear the evidence against Scott. Three of the senators voting not to investigate Scott are also reported recipients of Gulf funds.

Meanwhile, Secretary of Defense Donald Rumsfeld projects the 1978 Pentagon budget will top $120 billion, the highest in U.S. history.

On Friday, Washington is deserted. Congress has gone home for a long weekend of election-year politicking. A spokesman for the Environmental Protection Agency denies a charge made earlier in the week that the agency, bowing to pressure from the oil industry, has secretly decided to delay for two years regulations reducing the amount of poisonous lead in gasoline. In Atlanta, the nation's governors are conferring to decide what, if anything, can be done about Medicaid fraud, which, in New York City alone, amounts to $300 million.

Saturday morning, the *New York Times* reports that the state has begun investigating possible rigging of bids for milk purchased by the New York City School System.

The Army announces Sunday that ten men at Fort Benning, Georgia, have committed suicide in the last six months. No one knows why. The chief psychiatrist at the fort says he is "concerned." Jimmy Carter goes to church in Plains. Billy Graham visits President Ford at the White House.

The new week begins with a federal grand jury indicting former New York Congressman James F. Hastings on charges of obtaining kickbacks from his staff to buy automobiles, boats, snowmobiles, and to pay his children's college education.

In Washington, the General Accounting Office charges that the D.C. Department of Human Resources used a federal grant for maternity and child care to lease two expensive automobiles, one of which was driven by the city's human resources director.

Meanwhile, the Senate Select Committee on Intelligence adopts strict secrecy rules which will make it more difficult for the public and Congress to uncover the inner workings of the CIA.

The news from Georgia is that Jimmy Carter has conceded in a *Playboy* magazine interview that he has committed adultery in his heart "many times." Congressmen profess indignation that Carter has used the word "screw."

On Tuesday, *The Wall Street Journal* reports that the Watergate special prosecutor had subpoenaed the records of Republican committees in Ford's old congressional district. That day also brings word that a bill requiring a warrant for electronic surveillance for foreign intelligence gathering in the United States is dead. The Navy, meanwhile, announces plans to place the Hughes-CIA spy ship *Glomar Challenger* in mothballs, after failing to find a taker for the vessel, currently tied up at a Long Beach, Calif., pier at a cost of $10,000 per day. In Detroit, federal agents raid the home of the city's number two police official and cart away "narcotics paraphernalia used for the manufacture, distribution and possession of unlawful narcotics." In Chicago, a publisher files suit against John Cardinal Cody and five Chicago area Catholic churches, charging them with using pirated songs in their hymnals.

The *Washington Post* reports Wednesday that the Federal Election Commission is not auditing either major presidential campaign.

Elsewhere, the House ethics committee, after spending seven months and $150,000 trying to uncover the leak of the Pike Report, concludes its investigation, with the leak still undiscovered.

On Thursday, a spokesman for the maraschino cherry industry claims that the Federal Drug Administration's decision to ban Red Dye No. 4 will "wreak havoc" in the $100-million-a-year business. The FDA has reported that Red Dye No. 4 causes bladder polyps and atrophy in the adrenal glands of dogs.

The same day, a conference at the National Institutes of Health concludes that mothers can continue to breast feed their children, despite the presence of industrial chemicals called PCB's in mother's milk sampled in 11 states. The EPA reports that potentially dangerous levels of PCB's are already in 51 percent of the population.

Thursday night, Jimmy Carter and Gerald Ford meet in their first televised presidential debate. The proceedings are interrupted three-quarters into the program when a 25-cent audio part fails. Afterwards, both camps proclaim victory.

Friday morning, the nation's leading newspapers carry the transcript of a conversation between Speaker Carl Albert and Vice-President Nelson Rockefeller, taped when a microphone in the House chamber was inadvertently left open. The transcript has Rockefeller and Albert trading racial quips about Edward Brooke, the only black member of the Senate.

Saturday. The election is now less than seven weeks off. Polls released today show that millions of Americans did not bother to watch the presidential debates. Voter turnout is now expected to hit an all-time low.

Sunday. Jimmy Carter goes to church. Gerald Ford goes to church. "Where have you gone, Joe DiMaggio? A nation turns its lonely eyes to you." ●

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The Ruling Class

With a friend like me. . . ./ By Robert Scheer

When I finished interviewing Jimmy Carter for *Playboy*, I had no premonition that the words "screw" and "shack up" which he uttered would cause a furor. I just didn't know that they were still dirty words. It's enough to evoke the ghost of Lenny Bruce. Ironically, Carter's last monologue was, in part, a response to my remark that I had heard Carter had seen the movie *Lenny*. He said he had and had liked it. *Playboy* editor Barry Golson, who had come with me to the last session, observed that his own friends were most troubled by the sense of religious puritanism Carter occasionally exudes. Carter asked if we'd been to his Sunday school class and proceeded to deliver a ten-minute lecture that ranged from lust to the lies of LBJ. Carter is a civil libertarian who believes strongly in the separation of church and state, and he was expressing his frustration at not being able to get that across to liberal voters.

Read in its full context, his is a very moving and tolerant statement. In my naiveté, I thought his use of what Jody Powell labels "salty" words made Carter come alive. I agree with my 76-year-old mother, who said she found it "reassuring" that Carter is not an uptight Baptist. Later, however, at the debate in Philadelphia 's Walnut Theatre, waiting for the television equipment to be repaired, I was troubled. It was stark theater of the absurd, with Jimmy and Jerry remaining stiff at their respective podiums for 27 solid minutes without burping or asking for a cup of coffee or wandering over to chat with each other. I *am* concerned by a candidate who is so much on stage that he can stand in eerie silence for almost half an hour, simply to prove he is strong or serious—or something. Didn't either of them want to scratch, or at least smile? I thought Carter won the debate because he at least had the sense to sit down midway through this scene. But it would have been far better if he had said, "The hell with this, let's go get something to eat." It would have been a sign of life inside the political packaging.

Which is exactly what Carter did in the *Playboy* interview, and now he's being smashed for it. Those who previously judged him too careful and contrived are putting him down for his lack of prudence. Well, Nixon was the master public prude, and look what it got him—lots of private expletives and other signs of madness. Lenny Bruce was right. Repression is a basic disease, and if Jimmy Carter came a little unwound after three months of my constant goading, it was far less troubling than if he had always held it together. Perhaps off-guard is a better word than unwound; there was nothing disconnected or irrational about that last monologue, delivered in the front hall of Carter's home. His tone seemed sincere and intimate, as if he were talking to his sons, reaching for words that were more natural to our vocabulary than his.

We knew then that we would want to print this conversation in our interview. Since we were on our way out the door when the last monologue began, Golson interrupted Carter:

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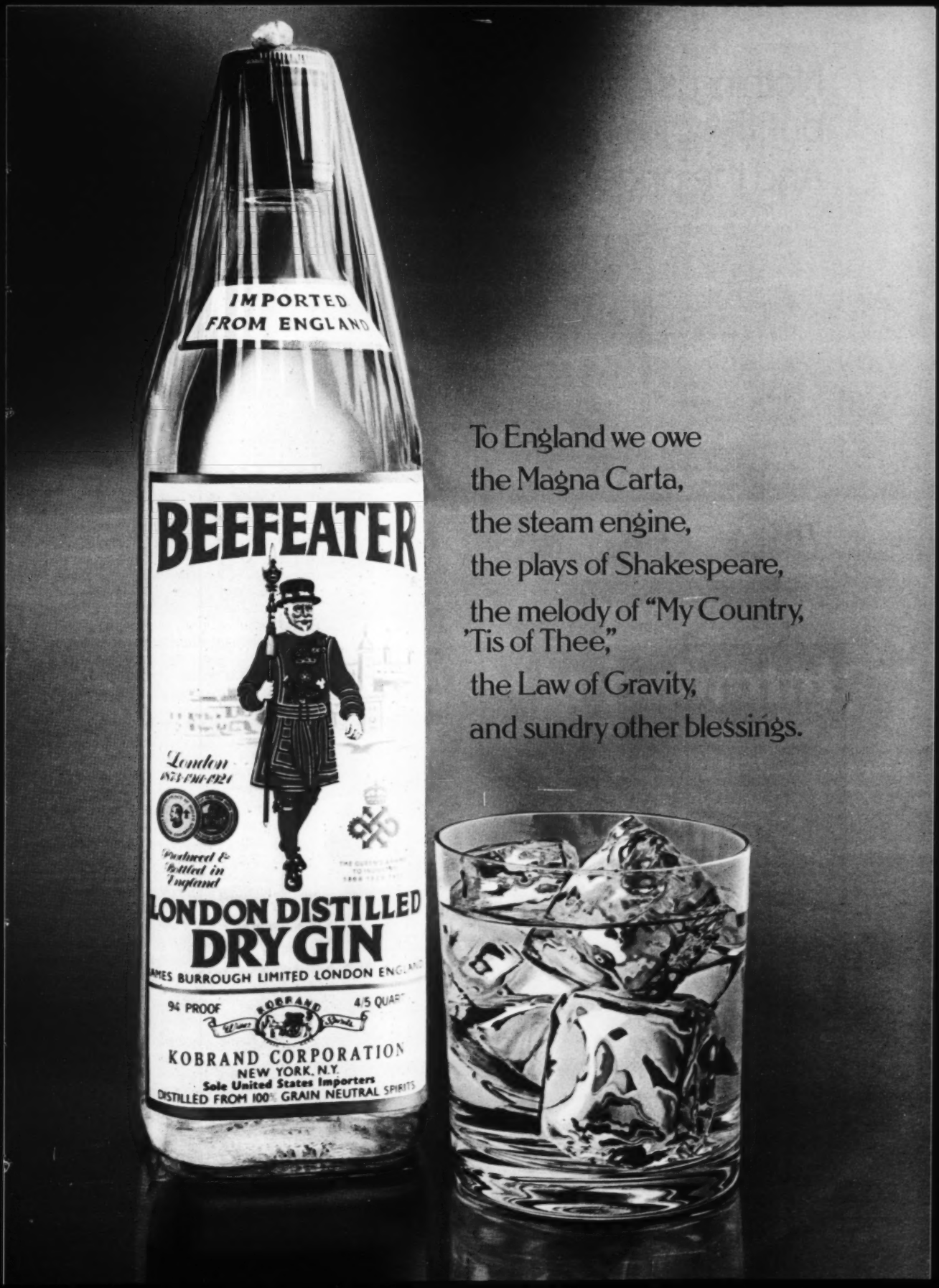
Carter, Scheer, Golson: unwrapping the political packaging.

"I'm taking mental notes, if you don't mind." And Carter said, "Nah." Since I had not turned off my tape recorder and was holding the mike about two feet from Carter, I pointed to the machine and said, "I'm taking real notes." We all laughed and Carter said, "Good."

I raised questions about religion and puritanism with Carter while discussing the types of judges he might appoint and his general feeling about "victimless" crime. No one at *Playboy* ever suggested these questions to me, and I would have asked them, no matter what magazine assigned the interview. Religion was, as Golson stated, the main thing that one's friends raised about Carter. It should, however, be noted that the bulk of the interview deals with larger questions of foreign and economic policy, a fact obscured by the concentration on a couple of words that are part of most people's vocabulary.

It is ironic that the editors of this so-called skin magazine released the story in toto three weeks ahead of the publication date precisely because they did not want to participate in a sensationalization of remarks both they and I thought were quite reasonable. *Playboy* takes three weeks to print, and one can expect copies to show up in printers' homes long before they are on the stands. Rather than risk leaks of the "hot parts," editors Golson and Arthur Kretchmer made a decision to turn the entire interview over to a responsible news agency that would accurately reproduce the text. Golson turned over a complete copy of the interview to the *New York Times* and the *Today* show four days before the release date. The *Today* show ran with it, but the *Times* balked. ("People might accuse us of trying to manipulate the campaign," an editor later explained. . . . I wonder why he wasn't concerned about the same thing when, the following Sunday, the *Times* printed Norman Mailer's interview with Carter.) The interview was then released to AP, which, alas, failed to mention that it centered on a discussion of multinational corporations, foreign policy and civil liberties, and, rather, stressed Carter's somewhat awkward use of colloquial language. Since I feel that the interview provides one with a reason for voting for Carter—and I intend to do just that—I found the AP treatment disappointing.

When the remarks came out, instead of putting them in their proper context, Carter again began to waffle. He was attacked for giving an interview to *Playboy* and using such language. Instead of rising to the occasion and saying, "Hell, I gave an interview to the *Reader's Digest* the same day and they, as opposed to *Playboy*, supported the war in Vietnam and other obscenities and anyway what's wrong with saying 'shacking up'? Everybody's doing it," he muddied the waters. He couldn't remember using that word, and then he did, but he didn't mean it, etc. This all became ludicrous in light of a far more important quote in the interview: Carter had said that *both* Nixon and Johnson had been guilty of "lying, cheating and distorting the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'Tis of Thee,"
the Law of Gravity,
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truth"—an accurate enough observation. The political difficulty, of course, was with Johnson, who is still officially revered by the Democratic Party. Carter did say in the primaries that the war in Vietnam was racist and deceitful and that judgment is not possible without a similar condemnation of LBJ. I realize some pundits feel that it was not politic to state that fact, but wouldn't it have been refreshing to have a candidate who, for whatever impulsive reason, had expressed such a thought and then continued to stand by it? I thought it curious that Evans and Novak—who consistently defended the Vietnam War—could at this late date attack Carter for giving such a lengthy interview to "an extreme left columnist." *Time*, which also supported the war, advanced the same notion, calling me "left-leaning." I am definitely left-leaning. But isn't it a bit self-serving of them to suggest that interviews be granted exclusively to right-leaning reporters? I have, after all, conducted lengthy interviews this past year with Jerry Brown and Scoop Jackson. And as for Rockefeller's criticism of Carter for giving an interview to *Playboy*—what of the cooperation he gave me over a three-month period, which included an exclusive interview, for an article I did on *him* for *Playboy* just one year ago?

In any event, the last fateful session was all too calm and controlled to be dismissed as an aberration. Carter and his staff now accept the accuracy and the value of the interview, and on September 27, Carter told a group of labor leaders in Portland, Oregon, "I wish all of you would read the entire article. I think you would say that it was a good interview." Amen. During the bulk of the interview, Carter held back too much of his complexity and deep moral concerns. Then, he blurted them all out in a marvelous monologue that should have earned him the presidency. Instead, his remarks have caused him no end of grief. It's a drag, and I trust that all of us nonvoters and other enlightened folk will now rise up and reward Carter's honesty with our votes. There must be more of us who "shack up," "screw," and love it, than those who are still frightened by words. As for Johnson, may he rest in peace—he did lie us into a brutal escalation of the Vietnam War, and it's best not to forget that lest we repeat his errors with the next gang of Democrats we put in power. But still, it would be better to put the Democrats in power: the Republicans are just too unimaginative and too beholden to the wealthy. What's more, if I have anything to do with Republicans staying on for four more years, my friends and my mother will never let me forget it.●

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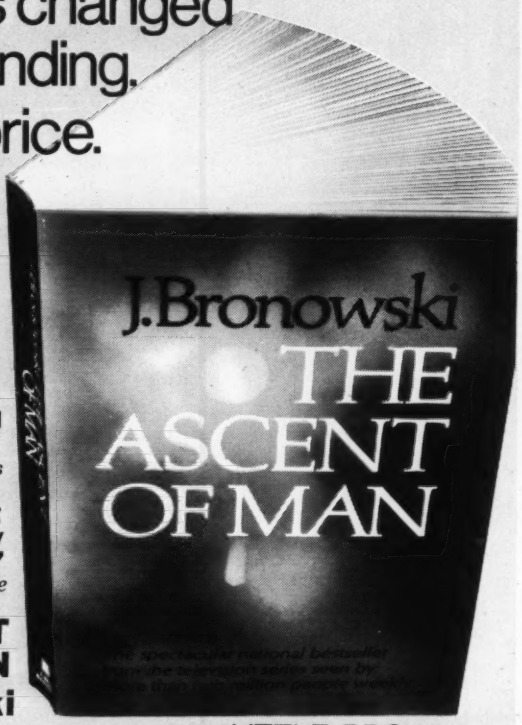

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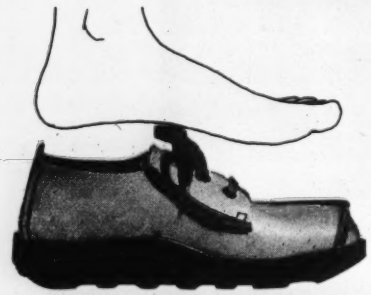

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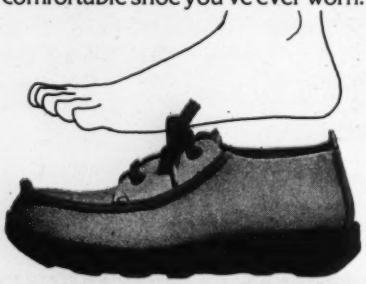

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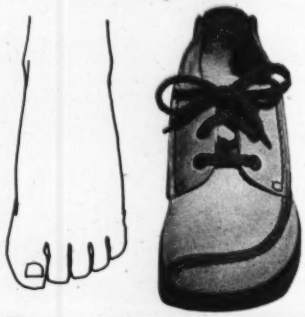

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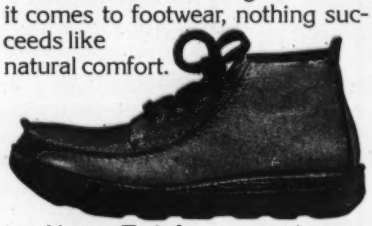

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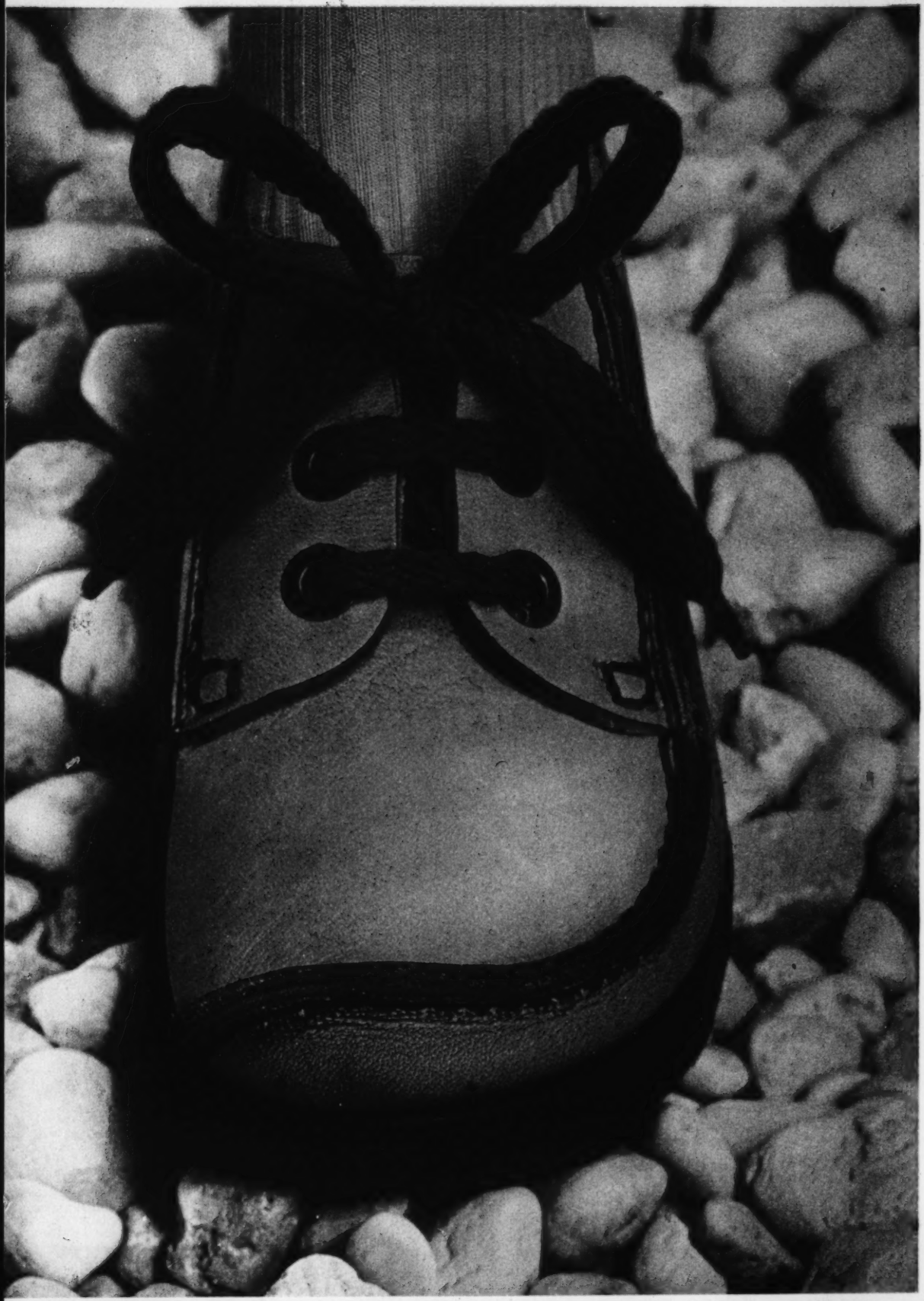

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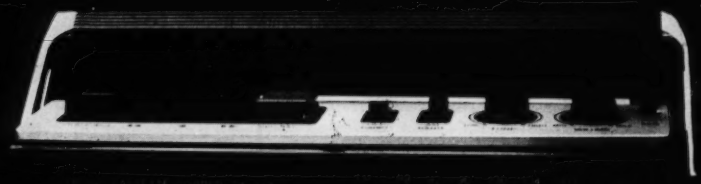

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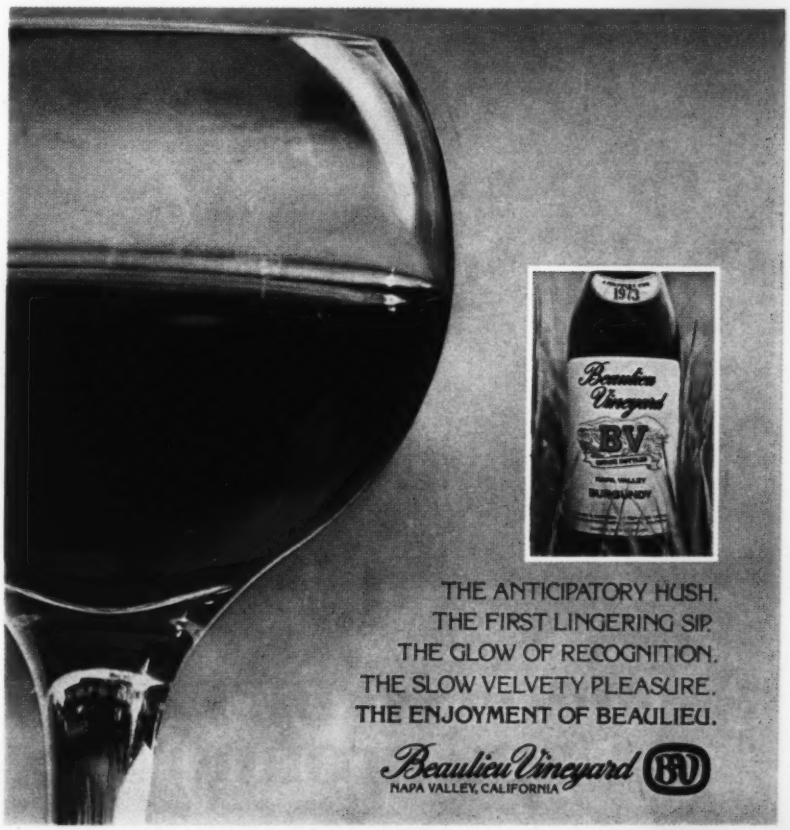

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The Insider

BY TONY SCHWARTZ

Butz on blacks/Dick Goodwin & *Esquire*

Politics

Earl Butz' racist remarks to John Dean

Ever since his cabinet appointment in 1971, Secretary of Agriculture Earl Butz has demonstrated a flair for placing foot squarely in mouth. His verbal indiscretions—calling Senator Sam Ervin "senile" at the height of Watergate, for instance—have puzzled the secretary's critics and mortified his supporters. Controversy, however, has never stood in his way. Throughout Watergate, Butz was one of President Nixon's most vocal supporters. After Nixon's resignation, Butz retained his cabinet seat, and in the current presidential campaign, he has been one of President Ford's most active surrogate speakers.

But now Butz may have made one loose comment too many.

In a recent *Rolling Stone* piece on the Republican Convention (Oct. 7), John Dean described a rather startling conversation between himself, singer Pat Boone and a cabinet member Dean left unnamed. That cabinet member was Butz. The dialogue took place on a flight returning from the Republican Convention in Kansas City to Los Angeles, and read in part:

". . . Pat [Boone] posed a question: 'John and I were just discussing the appeal of the Republican party. It seems to me that the party of Abraham Lincoln could and should attract more black people. Why can't that be done?' This was a fair question for the secretary, who is also a very capable politician.

" 'I'll tell you why you can't attract coloreds,' the secretary proclaimed as his mischievous smile returned. 'Because colored only want three things. You know what they want?' he asked Pat.

"Pat shook his head no; so did I.

" 'I'll tell you what coloreds want. It's three things: first, a tight pussy; second, loose shoes; and third, a warm place to shit. That's all!' "

How did we figure out that Butz was the unnamed cabinet member? Elementary deduction: we checked the traveling schedules of Ford's cabinet members, all 11 of whom attended the Republican Convention. Butz was the only one who flew from Kansas City to Los Angeles on Friday, August 20, the day after the convention ended. According to Butz' administrative assistant, Roger Knapp, who was traveling with the secretary, Butz took a 9:00 a.m. flight from Kansas City to Los Angeles on the 20th. Pat Boone took the same flight, according to his personal manager, Jack Spina, who made the reservations.

Dean himself would not "confirm or deny" that Butz was the unnamed cabinet official in his story. Secretary Butz refused to comment.

However, Boone, reached by phone, confirmed the remarks: "That's what he [Butz] said. I took it as a joke, but I didn't think it was funny. I felt it was inappropriate language for anyone. He knew he was talking to a reporter, and he may have thought what he said was unprintable. It occurred to me right then that it might be printed. I cringed for him."

WIDE WORLD

Butz: one loose comment too many?

Great debates

If the first presidential debate seemed a mite dull, part of the blame must go to the League of Women Voters, who organized it. The group made an explicit decision to choose as panelists journalists with an issue orientation rather than a political one. TV consultants warned the League that the result would be boring debates. Even *New York Times* national correspondent R.W. Apple, who made known his desire to be a panelist, was excluded. The League decided that Apple is precisely the kind of politically oriented reporter they did not want, and he has not been offered a panel spot for future debates.

•Elizabeth Drew, *The New Yorker* correspondent who served on the first panel, was clearly chosen for her issue orientation. The irony is that she was apparently flat wrong when she challenged Jimmy Carter on a key figure during the debate. Carter explained that he would pay for the new programs he outlined by using a $60 billion surplus expected from taxes by fiscal 1981, assuming 4 percent unemployment. He cited Senate Budget Committee figures as his source. Drew challenged Carter's figures, claiming that the Budget Committee foresaw only a $5 billion surplus.

The following day, Senate Budget Committee Chairman Ed Muskie (D-Maine) sent Drew a "Dear Liz" letter that admonished her: "You inadvertently misquoted budget committee figures." The letter went on to explain that a $50 to $70 billion surplus was an accurate estimate. Drew may have been quoting the bottom line of a *House* Budget

Muhammad Ali, Werner Erhard and Sen. Hubert Humphrey are joining NBC News & Information Service.

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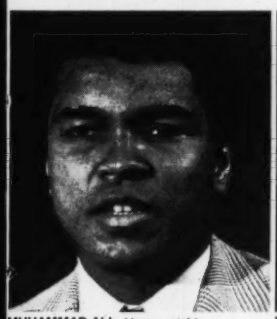
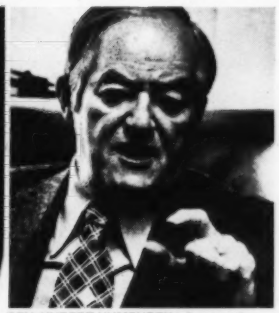
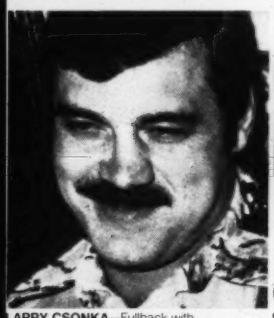


MUHAMMAD ALI—Heavyweight Champion of World; perhaps greatest prize fighter in history.

WERNER ERHARD—Founder of EST; one of leaders of so-called "consciousness movement."



SEN. HUBERT HUMPHREY—Former VP; Democratic candidate for President in '68. One of elder statesmen of Democratic Party.



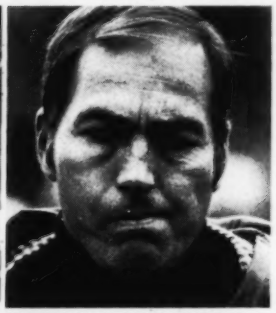
LARRY CSONKA—Fullback with football Giants; regarded by experts as finest running back in pro football.

ELIZABETH ASHLEY—Star of motion pictures and Broadway; noted for her portrayal of Maggie in "Cat on a Hot Tin Roof".

SEN. BARRY GOLDWATER—Republican candidate for President in '64. One of elder statesmen of Republican Party.

CORETTA SCOTT KING—Widow of late Martin Luther King; civil rights activist and feminist leader in her own right.

ISAAC STERN—Premier violinist; a classical music virtuoso virtually without equal.



BART STARR—Former star quarterback, Green Bay Packers; now head coach.

BILL VEECK—Baseball pioneer. Owner of Chicago White Sox; sports innovator. Mr. Promotion of baseball world.

SHIRLEY TEMPLE BLACK—Chief of Protocol for White House and State Dept.; former Ambassador to Ghana and a top Hollywood star of 30's and early 40's.

ZUBIN MEHTA—Musical Director of LA Philharmonic; considered by many to be greatest conductor of classical music in the world.

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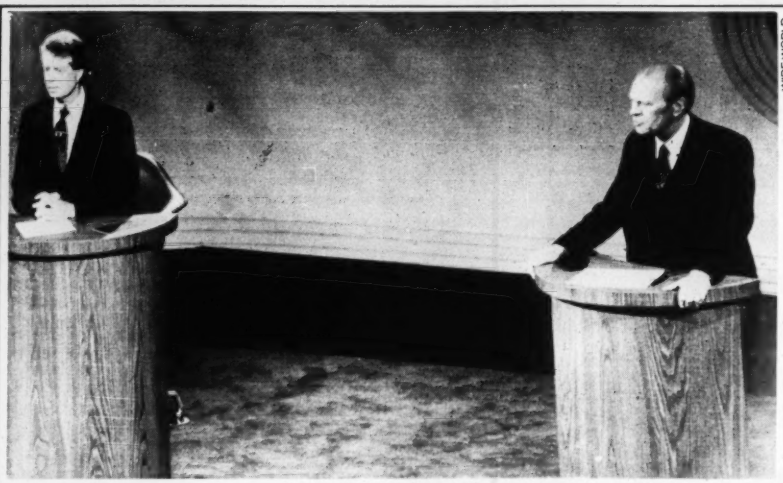


WIDE WORLD

The Debate : aftermath

Committee report, which predicted a $5 to $96 billion surplus—depending on one's assumptions about the budget.

In the same exchange, Drew claimed that the programs Carter had outlined would cost $85 to $100 billion. Ironically, the $100 billion figure is the Ford campaign's estimate for what Carter's programs will cost. In the same letter to Drew, Muskie claimed that a more accurate cost estimate for Carter's programs would be $40 billion—and that Republican programs for the same period would cost $50 billion. How's that? Simple. The Republicans more than make up for being tightwads on social programs by being spendthrifts on the defense budget. So much for issue-oriented reporters.

•Why did Carter stubbornly refuse repeated advice to practice for the debate by using a videotape machine, as Ford did. To his consultants' consternation, Carter insisted that his time would be better spent memorizing facts and figures. Some advisers now feel Carter overreacted to Republican charges that he was vague on the issues. Those charges worked, they feel, though not the way the GOP anticipated. In his determination to be specific, Carter mishandled both the medium and the message, losing the persuasive style and thematic substance so successful for him in the primaries. The nervous recitation of statistics and programs made Carter sound "more like a computer than a visionary," one adviser concluded.

•Nearly every poll taken after the debates has shown Ford the victor. Add Carter's own private poll to the list. That sounding showed that he lost by a 39–34 margin.

•From the "for what it's worth department": At the conclusion of the debates, a former Democratic vice-presidential nominee bet $5 that Ford would win the election in November.

I'm a real nowhere man

You may not hear much from him henceforth, but Walden Earhart has earned himself an inauspicious footnote in the annals of American politics. He's the first candidate—under a Nevada law inspired by Watergate—to be defeated by "no preference" votes.

Earhart, an accountant for an irrigation firm, will nonetheless be the Republican Party's candidate for Nevada's lone seat in Congress. Though "no preference" votes accounted for nearly half the ballots cast, they are not used in the official tally. Of the remaining votes, Earhart garnered 29 percent to runner-up Dart Anthony's 24 percent.

"I'm not embarrassed by the vote figures whatsoever," Earhart told reporters bravely. "The vote indicates either that voters didn't know who to vote for, or that, if they did know us, they didn't like what they saw."

His logic is unassailable.

Connally, again

Questions about John Connally's activities have a way of persisting. The latest potential controversy centers on the former Texas governor's involvement with two disparate groups.

In March, as part of his purported efforts to beef up CIA oversight, President Ford appointed Connally to the President's Foreign Intelligence Advisory Board (PFIAB)—a position in which the former Treasury Secretary could receive privy information from the CIA and other intelligence agencies.

A short time after his appointment to PFIAB, Connally and a group of businessmen formed a widely publicized private group to oppose Communist efforts in Italy. The 17-member steering committee of the Citizens Alliance for Mediterranean Freedom includes corporate officials from W.R. Grace Co., an industrial chemical firm; Gulf & Western Industries; and Genesco Inc., a Nashville garment company. All have business interests in the Mediterranean area, as do several clients represented by Connally's prestigious law firm.

What bothers Rep. Michael Harrington (D-Mass.), who first raised the question, is the potential for Connally to compromise his public position on PFIAB by channeling sensitive intelligence data to either his law firm's clients or to those involved with the Citizens Alliance. Fresh in some congressional minds is the Senate Select Committee on Intelligence's report describing the cozy relationship between former CIA chief John McCone and ITT in Chile in 1970. Though no accusations

SHELLY KATZ/BLACK STAR

Connally: questions persist

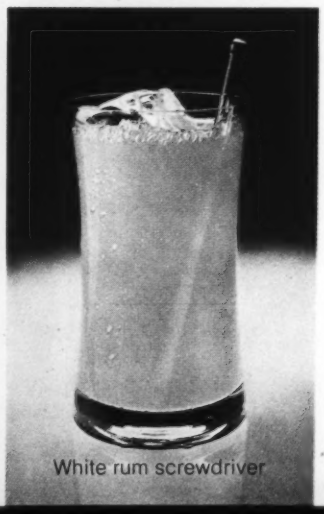
are being lodged, there is concern that Connally could become Italy's McCone. A wary eye seems well advised.

Keeping the coast clear

So you think Jerry Brown has temporarily placed his presidential ambitions in abeyance? Hardly. Not only is Brown as popular as ever in California, but he has even taken to playing politician occasionally.

The governor was seen in that

Follow your own quiet path. Mix your orange juice with white rum from Puerto Rico.



White rum screwdriver

While the crowd is busy following in each other's footsteps, you've found a less-traveled path that brings more pleasure.

You've discovered white rum, for a screwdriver as smooth as the mood you're in.

Unlike gin and vodka, white rum from Puerto Rico is set aside to age for at least a year before it's ever bottled.

It emerges deliciously smooth. Smoother than gin. Smoother than vodka. And preferred to other rums. In fact, 84% of all the rum sold in the United States comes from Puerto Rico.

White rum is a marvelous mixer that never overpowers its partners. It allows orange juice to be savored, doesn't un-tingle the tonic and never clubs the club soda.

With white rum, you're on the right path. A path that might soon become the main road.

PUERTO RICAN RUMS

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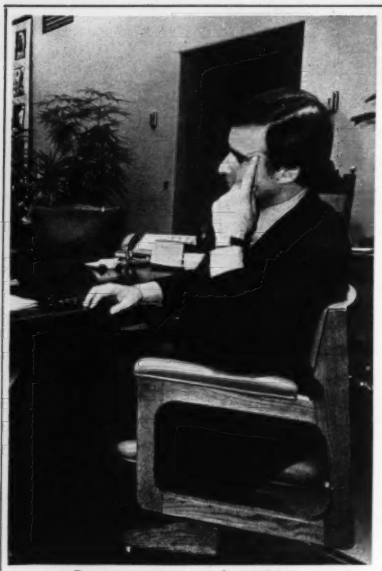


WIDE WORLD

Brown: stirrings for 1980

uncharacteristic pose recently, lobbying outside the California Senate chamber for votes on behalf of a bill that would protect the California coastline. In exchange for the votes of three legislators, Brown promised to help them raise campaign money—something he's rarely done in the past. But the most explicit proof of his ambitions came at a recent tête-à-tête with fellow politicians. Brown was asked if he intended to raise state taxes.

"I'm not going to raise taxes till I'm safely ensconsed at 1600 Pennsylvania Avenue," he told the group.

Then when can we expect a tax raise, came the follow-up question.

"Not before 1980," Brown replied calmly, adding with customary aplomb: "I won't raise taxes for some silly reason like keeping Medicare and Medicaid from going bankrupt."

Only Jerry.

Seventies

Still-born

Another small note on the New South: the hillfolk in the mountainous southern states, once the bane of revenue men for making moonshine, have turned their interest elsewhere. This summer, in Wilkes County, South Carolina—the heart of barefoot country—agents destroyed 35,000 marijuana plants, and only two stills.

The old order changeth.

A penny saved is a penny spurned

Penny candy, penny parking machines and penny ante are mostly memories now, and the little copper coin itself may not be far behind. The fact is that the penny has become a nuisance—something you carry around but for which there is scant use.

Now a government sponsored study has recommended that the U.S. mint eliminate the one-cent piece by 1980. The study, conducted for the government by Research Triangle Institute, concluded that pennies are too expensive to make, and that since they have become so slight in purchasing power, people tend to collect rather than spend them.

The penny would be a nostalgic loss, but as one alert correspondent points out, that's nothing compared to the crisis for the language. Can you imagine, for instance, "nickel wise and pound foolish"?

The landed rich

Whenever we get to wondering what's doing in the back-to-the-land movement, we look to one of its chief spokespersons—John Shuttleworth, publisher of *Mother Earth News*. The latest is that Shuttleworth has purchased a $100,000 horse ranch in the hills near the magazine's western North Carolina office. Better yet, the house on the ranch is all-electric, and is equipped with a dishwasher, garbage compacter and an electric garage opener. Shuttleworth has also been toying with the idea of adding a swimming pool.

Meanwhile, back at *Mother Earth News*, Shuttleworth has been presenting all new employees with a book which he says reflects his philosophy. It's not "Small is Beautiful" nor "How to Live Quietly in the Woods." The book is Napoleon Hill's *Think & Grow Rich*.

Mind & Body

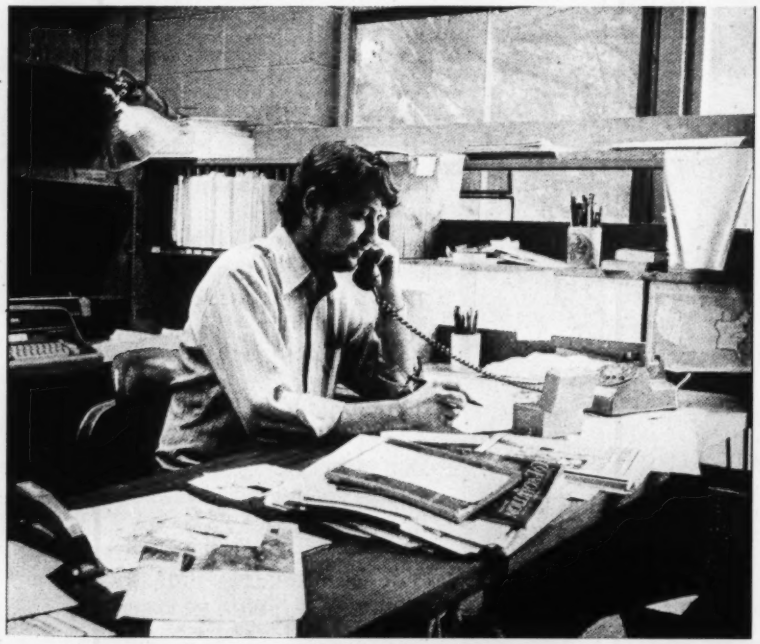
As I lay lieing

It's the perfect technological aid in the age of candor, and equally ominous: a portable lie detector the size of a hand-held calculator, which uses the human voice as its input.

Manufactured by the Issaquah, Washington-based Hagoth Corporation, the "HS/1 Scanner" operates on the principle of voice stress analysis. It can be used over the phone, in person, or even from the sound that comes over a television. The catch is the cost—$1,500—but for that you get a money-back guarantee.

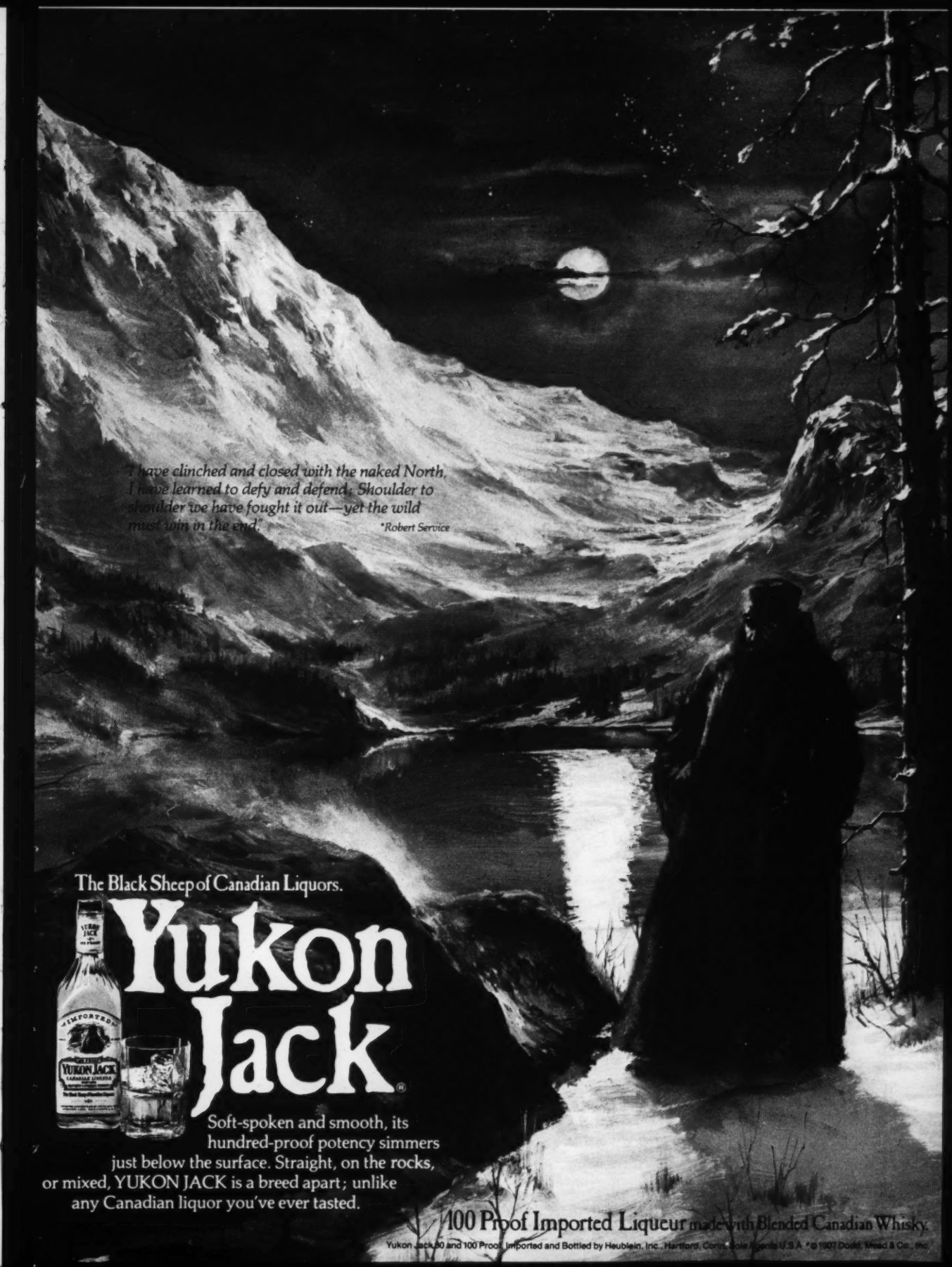
Hagoth president Richard Bennett, whose background is in computers, claims his device correlates almost identically with polygraph results. The voice scanner in the HS/1 detects the variance in modulation of the human voice. When its needle drops below a certain point, serious stress is indicated.

Within a year or two, Bennett hopes to reduce the current unit to the size of a ballpoint pen. In the meantime, if you're worried that friends might be secretly rating your



WILLIAM WAGES

Shuttleworth : rich


"I have clinched and closed with the naked North,
I have learned to defy and defend; Shoulder to
shoulder we have fought it out—yet the wild
must win in the end."
*Robert Service
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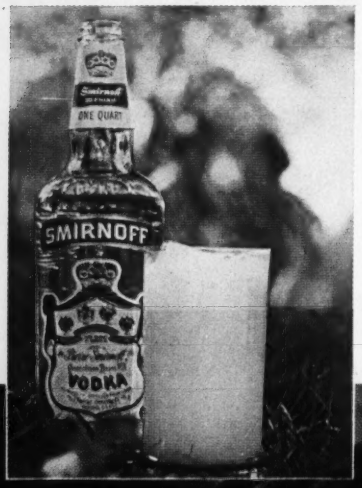


The Egghead

Was it only a couple of decades ago we dubbed our intellectuals eggheads?

A great word. We're tickled that we can bring it back in another way with our egg, orange juice and Smirnoff concoction.

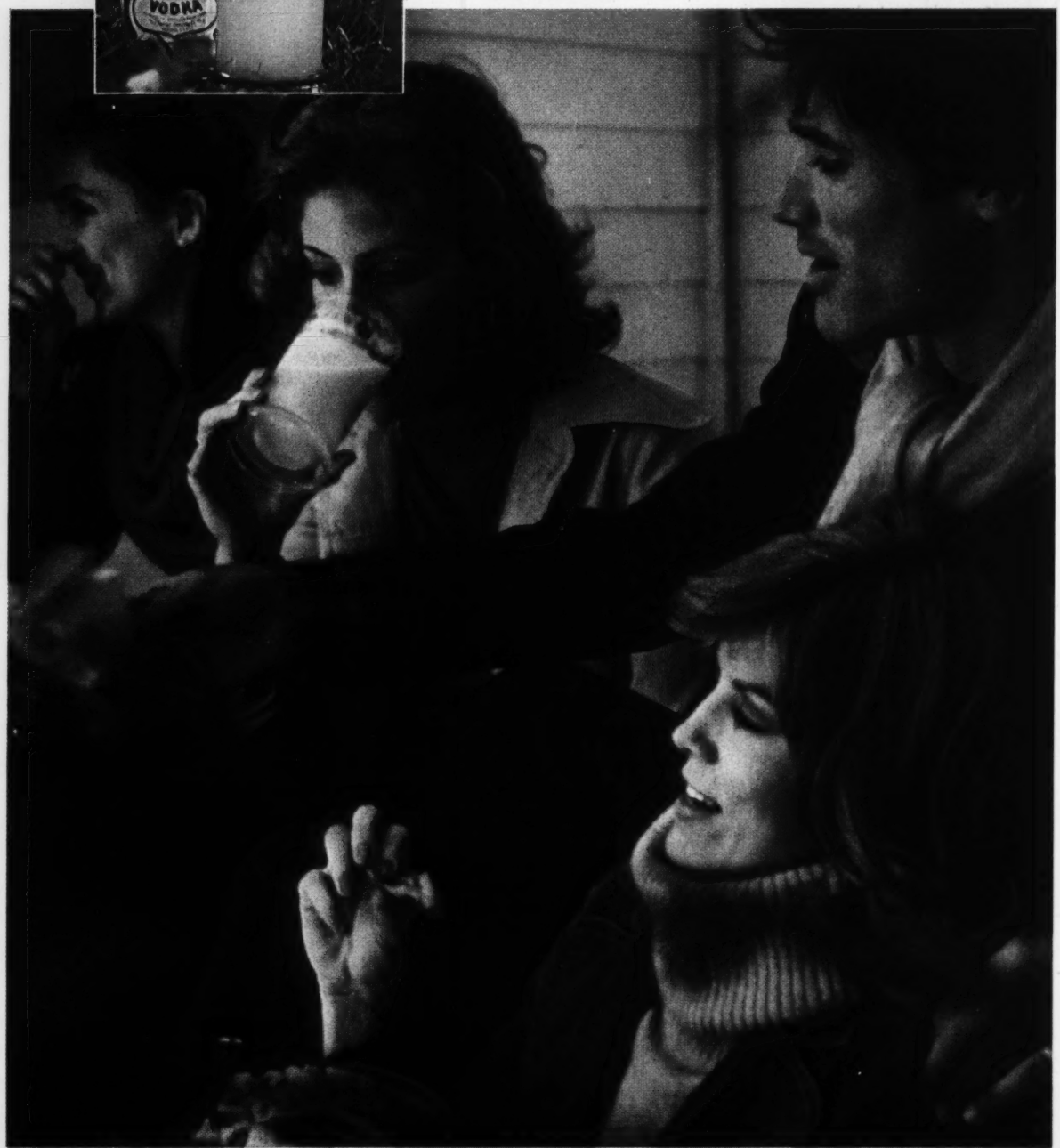
Friends seem to be delighted with it. Not only do they find Egghead brunches fun, they like the idea of having a pleasurable drink of some substance.

Don't make that an excuse for over-indulging, however.

Remember Eggheads can get to be pretty heady.

To make an Egghead put 1½ oz. Smirnoff, 4 oz. orange juice, and 1 egg into a blender. Mix and pour into a tall glass with ice.

Smirnoff
leaves you breathless®



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comments, relax. Only 50 units have been sold so far, mostly to high corporation executives.

Simply salivating

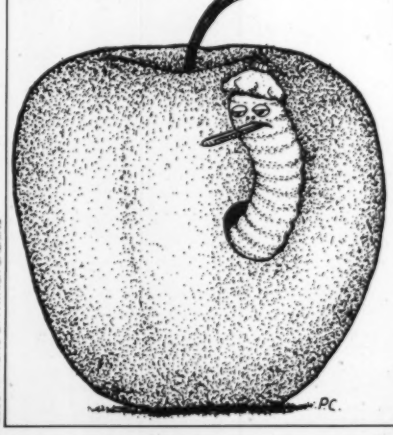
A few months ago we reported on a wonder gum from Finland that did more to retard tooth decay than anything since the toothbrush. But now some American researchers have come up with a powerful anti-cavity medicine that might well outdo the gum.

Developed by research dentists at the University of Alabama, the medicine has been tested on rats with spectacular results. The researchers placed the medicine in the drinking water of one group of young rats and withheld it from a control group. Both groups were placed on high-sugar diets. At the end of three months, the rats receiving the substance had practically no tooth decay, while the control group had cavities galore.

The medicine, similar to a vaccine, stimulates the salivary glands to produce antibodies that fight enamel decay. Humans would probably take the medicine in pill form, but final details are uncertain pending FDA approval.

Bearing fruit

Don't believe every aphorism you hear. The British Medical Journal recently reported the case of a 55-year-old woman in Sweden who was hospitalized for a mysterious neurological ailment characterized by dizziness and fainting, usually during meals. X-rays and neurological exams revealed no abnormalities, so the doctors decided to monitor her heart at mealtimes.



ILLUSTRATIONS BY PATRICK CALKINS

Turned out that the culprit food was nothing less American than apples. Apparently they set off an aberrant chemical reaction in the esophagus, which led to a heart flutter and induced dizziness.

The patient has been off apples ever since, and she's required no further medical attention. So much for an apple a day . . . .

Media

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A strange negotiated settlement between Richard Goodwin and *Esquire* magazine has re-ignited last year's hottest literary controversy: the saga of Goodwin and Doris Kearns (*NT*: July 11, 1975).

Kearns had been recommended for tenure at Harvard in 1974, on the basis of her forthcoming book, *Lyndon Johnson and the American Dream*. But then she pulled the incomplete manuscript from Basic Books and resold it, at a much higher price, to Simon & Schuster—with fiancé Dick Goodwin as co-author. Harvard decided to review the tenure decision, and tongues got to wagging. Eventually, Kearns published her own manuscript and was given the title "Professor" at Harvard. A decision on her tenure was delayed, pending a second manuscript three years hence. Meanwhile, a suit by Basic Books was settled out of court.

Perhaps the literary high point of the cause célèbre was Bo Burlingham's devastating portrait of Goodwin in *Esquire*. Infuriated by the piece, Goodwin hired Boston lawyer James St. Clair, who had previously represented Richard Nixon, and St. Clair has just concluded an out-of-court settlement.

Esquire is paying Goodwin $12,500 (exactly ten times what Burlingham got for his article) and is publishing a column about the piece by Editor-in-Chief Don Erickson in its November issue. The "retraction" is as peculiar in style as it is short on substance. Presented as a death-bed interview with the late founder of *Esquire*, Arnold Gingrich, it contains gems like these:

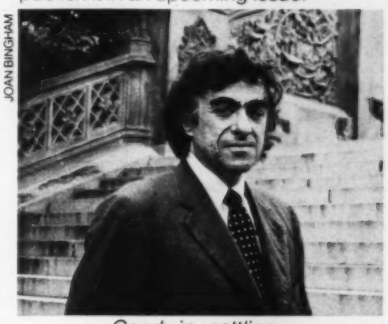
Gingrich confesses to being "a sucker for what I read." Only when he met the charismatic Goodwin, for example, did he realize that "reappraisal seemed to be in order. I mean, for example, the piece said he was an ugly man and that's just not the whole of it. There is a power in his face that is riveting to people in his company. I could see why women swoon over him, which they do. I thought of the French term 'jolie laide'" (pretty-ugly).

●Burlingham said Goodwin was a "guy who didn't pay his debts" without mentioning that he "had never had his credit withdrawn anywhere."

●"We showed her [Kearns] as a kind of nervous Nellie, an exploited female manipulated by the man she loved. Well, who can believe *that's* the truth of the matter when one has followed Kearns' career in recent weeks? The splendid review of her book on LBJ, the scholarly attention given to her addition to this portion of our history, her July Book-of-the-Month Club selection, for God's sake."

Appalled at the Erickson column, *Esquire* Senior Editor Nora Ephron wrote a column of her own on the subject. *Esquire* refused to run it, and *More*, the journalism review, will publish it in an upcoming issue.

JOAN BINGHAM



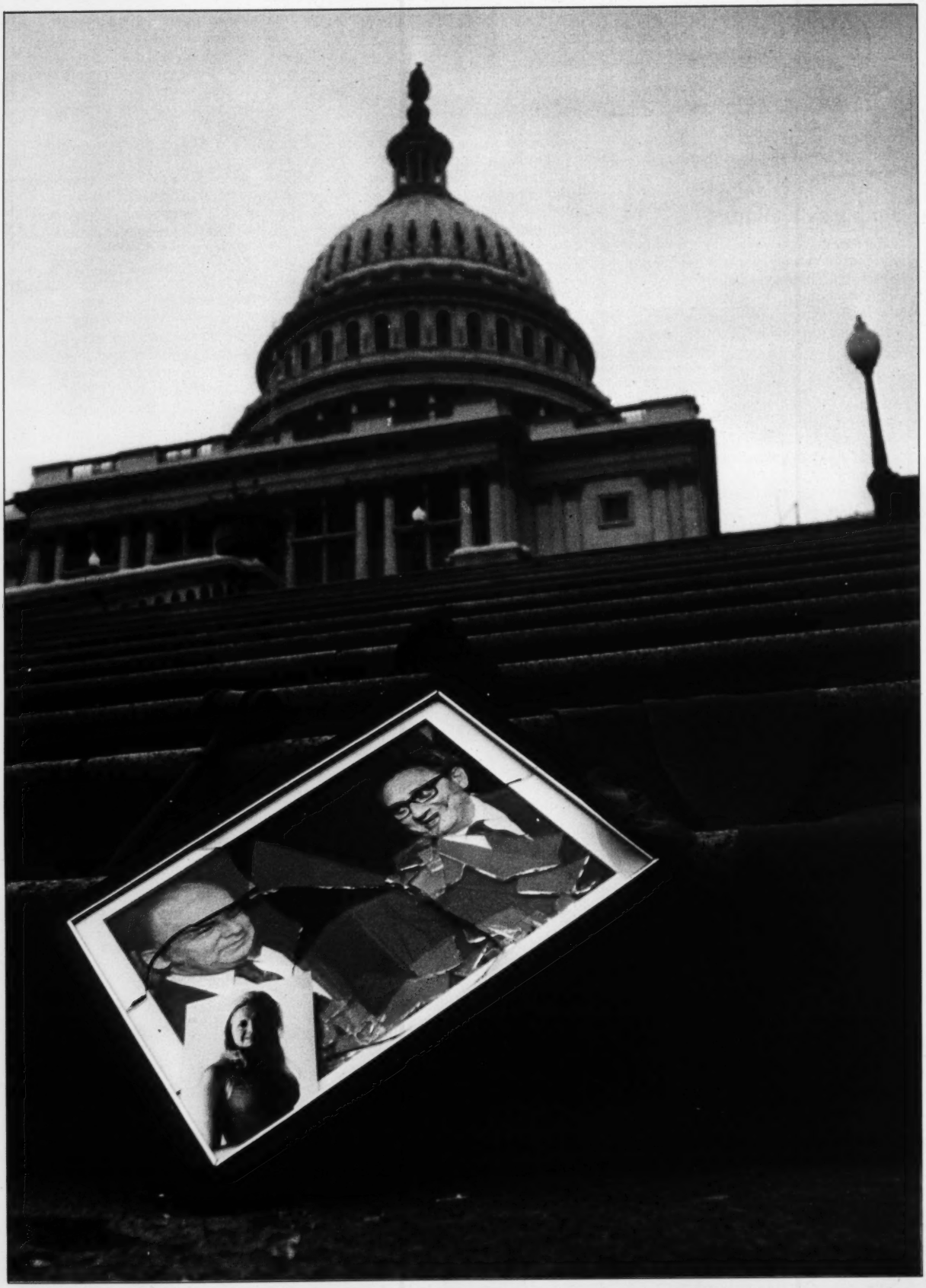
Goodwin : settling

Ephron, who edited Burlingham's piece, defends it as "completely solid." she notes that Esquire President A. L. Blinder told her he had no problems with the settlement because "there is no principle involved." Writes Ephron: "I want to state the principle involved. A magazine has an obligation to its writers and readers to stand by what it prints."

Ironically, in *Esquire*'s recent tribute to Gingrich, it was reported that "he glowed when the editors would turn up a new voice and bring it forward." One of the two who "pleased him most in recent months" was Bo Burlingham.

"In no way," Gingrich is reported to have said, "do I disapprove of Burlingham's right to his view of Goodwin. But I like the idea of *Esquire*'s privilege to publish my own view."

Contributors:
Bill Choyke, Mike Edelhart, Larry Frederick, Phil Jordan.



PHOTOGRAPH BY STEVE PHILLIPS

Wayne Hays wheeled and dealed his way into the circle of America's most powerful men. But history will remember him for a tawdry sex scandal. Here is the day-by-day account of how he was reduced to a pathetic ruin, stripped of power and pride

The shattering of Wayne Hays

By Robert Shrum

September 20, 1976: At his $300,000 Redgate Farms in Ohio, Wayne Hays has been walking the fields and worrying about the grand jury. Just recently, the prosecutors subpoenaed another drawer's worth of records. Whatever the press mentions, they investigate: his collection of antiques, his quarter-century of official globe-trotting, his relatives, his friends, his staff—categories that in too many cases seem to overlap.

A friend who saw Hays in early September says, "He's chipper, in good spirits." But that equanimity is only an image for the outside world's occasional glimpses. Most of the world is outside now, even most of those who were close to Hays. The collapsed, nearly pinpoint inner circle encompasses his family and very few others. He is anxious to talk with the one-hand's count of ex-colleagues who still welcome his calls. He is bitter at the ones who "betrayed" him, or still might. His good spirits are mixed with a large potion of bad moments. He is tense, manic, "up and down," his wife says to press secretary Carol Clawson on the phone.

Today, Hays is just moping. It's raining at Redgate and his mood matches the weather. It will be better off and on. His wife invites Carol Clawson to visit with the Hayses the second weekend in October. She lingers on the phone, repeating the invitation several times.

"Tell him to relax a little bit," Clawson sympathizes about the grand jury. Hays has to try; it could last anywhere from another week to another six months, by the estimate of his attorney, Jud Best, who's used to holding the hands of federal officials in trouble with the law. Three years ago, Best represented Spiro Agnew.

Sometimes, Hays loses himself in planning the logistics of transporting 28 years' worth of files and belongings home from Washington. It is a chance to forget his fate, to go through the motions of his past when, as chairman of the House Administration Committee, he could ordain the logistics and often the substance of congressional action. But this, too, can be a painful reminder of his fall. Hays would like his Ohio field representative, Don Gosny, to drive to Washington to pick up a trunkload of the files. But Gosny is too scared to budge: charged with drawing two paychecks from Hays' public funds while earning only one, he's compulsive about being in the local office all day every day in case a reporter or the prosecutors call. (Gosny and Hays would be more nervous still if they knew that a House Administration Committee official told the grand jury that Gosny did nothing for the committee.)

Later in the week, Hays will slip in and out of Washington to move files and furniture himself. The *Washington Post* won't notice.

* * * *

Six months earlier, Wayne Hays had been, if not the most powerful, then the most feared man in the House of Representatives. His base was the House Administration Committee, which stocks the basics of the members' working (or non-, as the case may be) conditions, ranging from food in their dining rooms to pencils, paper, typewriters, office equipment and space. Omar Burleson of Texas thought the committee was too aptly named; he disdained its housekeeping functions as rote boredom, trading in the chairmanship in 1968 for a back-bench place on Ways and Means. But Hays sensed that in this House, as in any home where the inhabitants feel a necessity to be waited upon, a servant can become a master. Instinctively, he followed the ancient Hebrew proverb: "The servant of kings is their king."

The key to his kingdom was the 1971 passage of H.R. 457, which handed the Administration Committee the discretion to set member benefits and allowances on its own. Wary of public reaction, the House as a whole previously had dared to vote only marginal raises for even justified expenses. Now members could have their cake without baking

it themselves. Wayne could do it for them—and he did it up fine, multiplying the perks right away and ever after, the real needs and the nice little extras. In the next five years, there was a doubling of telephone service and of the stationery allotment, which had been stationary since 1968. And members could cash out whatever reams of that allotment they didn't use, taking the money without having to account for its spending. There were $5,000 newsletter subsidies, ten more round trips home for an annual total of 36, a Santa's bag of staff trips, free picture framing, combs and brushes and *et ceteras, ad infinitum.*

It was Tammany Hall in the halls of Congress—and the word was that, like any ward boss or Santa Claus, Hays remembered who was naughty and nice. He made many threats, carried through on a few. He cut a subcommittee's budget by half for criticizing the Vietnam War, cut off temporarily the salary of another member's assistant for recruiting witnesses to testify in favor of a bill Hays opposed. But Hays didn't have to follow through very often; threats alone were generally persuasion enough. He did help his colleagues as a group, but none of them could be sure exactly what hurts he could or might inflict on any one of them. The uncertainty itself was a weapon. "They didn't want to find out," says Frank Thompson, Hays' successor as chairman of House Administration.

This image of arbitrary power, Hays figured in private satisfaction, was part of its substance. Another and tangible part was his other chairmanship, of the Democratic Congressional Campaign Committee. From that base, Hays could dispense or deny campaign contributions to deserving House candidates. Who deserved how much was for him to decide. When the post-Watergate reform wave swept in the idea of public financing, Hays was the congressional Canute who single-handedly turned the tide. In the phrase of one of the many members who privately abhorred a "reform" whereby the government would pay opponents to run against them, Hays "told Common Cause to go to hell for all of us." He obstructed until he struck a hard bargain: millions in public funds for presidential campaigns, not one cent for House and Senate races.

Hays could be the House's lightning rod, having insulated his home district ground as he had parceled in his congressional base, with assiduous services for constituents. "He worked 24 hours a day for his people," according to a local Ohio politician, straightening the snarls of Social Security, veterans' benefits, home loans, spreading the blessings and relieving all the small oppressions of federal programs and bureaucracies.

Unfortunately for Hays, men are remembered, if at all, for their significant moments, not lifetimes as such. Biographers search entire lives primarily for clues to decipher particular instants that made them important. Wayne Hays was more, good and bad, than the man Elizabeth Ray accused. A hawk in full flight to the finish in Vietnam, he was also, inconsistently, an early foe of the Greek junta and the Trujillo regime in the Dominican Republic. As chairman of an international relations subcommittee, he was an economizer of State Department appropriations; but on one of his frequent global forays, he treated his startled congressional traveling companions—and their wives—to an *exhibition,* a live sex show in Paris, at public expense. But whatever else he may have been—good, bad, frivolous or consequential—his name in the future footnotes of history will be hyphenated to Elizabeth Ray's.

Like any ward boss or Santa Claus, Hays remembered who was naughty and nice. Once, he cut a subcommittee's budget by half for criticizing the Vietnam War

In the now familiar tale, she came to him after training on Ken Gray's staff, which reportedly "staffed" houseboat orgies on the Potomac as well as his House office in the Rayburn Building. Ray could type and did—around 25 words per minute. (This summer Hays' lawyers clutched a gathering of letters, combed from his files, initialed "WLH:er" at bottom. In May and June 1974, the only "er" on Hays' payroll typed repeatedly, each time mistyping different mistakes, the same form letter, which pledged Hays to "campaign reform," to "securing the best possible laws to achieve this aim.") Through Nina Wilson, the office manager of the House Administration Committee, Hays rode Ray to show up for work. A trusted Hays aide over the years, Wilson apparently knew of his special relationship with Ray, accepting it as a matter of course. When another staffer guessed at it, she defended the chairman: he worked hard, he needed to relax. In January 1975, Ray hinted to the committee's new staff director, Doug Frost, that he better be nice to her, she could get to the boss. And she did go to Hays, who called Frost and told him not to worry about her, she wasn't rational.

Ray was status-struck, pathetically so. Captain Dan, the former WWDC helicopter traffic man, occasionally called her around midnight, after a failed sweep of the singles bars, and spent an hour or two with her. No longer than that; he didn't want to have to wake up next to her in the morning. But minor radio celebrities, congressmen, the restaurant owners she dated were just a shadow of the real thing. What struck Ray most was the Cinemascope status of a Hollywood star. Shortly after her conversation with Doug Frost, she took off after that fantasy; she signed off the committee payroll as of February 28, stopped coming to work around the middle of the month, and headed west for California.

So far, Elizabeth Ray was a bit player in Wayne Hays' career, which had just reached its apogee during an attempt to pull him down. Following the de-Nixoning of Washington, a new Congress had convened in January 1975, with a popular mandate—in effect an ultimatum—to be about the business of reform. Four of the senior autocrats chairing House committees were to be challenged. Of these old-liners only Hays was to survive the mood of that month; his singular triumph was consequence as well as confirmation of his power, an anecdote of its uses and abuses.

On January 15, the Democratic Steering and Policy Committee took four ballots to recommend Frank Thompson as the chairman of House Administration over Hays. Thompy, as he is known around Congress, was one of the original reformers in the House, an early dissenter on Vietnam, a McCarthy and Robert Kennedy man in 1968, a tall Irishman of Gaelic disposition: politically, physically, in temperament, hardly any member was more different from Wayne Hays. Hays called Thompy after the Steering Committee vote. He sounded shocked, almost shattered.

"They turned me down. I'll be getting my stuff out of the committee office."

"Wayne, you don't have to do that. You may want to fight it" (in the caucus of all the Democratic members scheduled for the next day).

"Fuck it."

"Wayne, get some friends together, you may change your mind."

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In ones and twos, congressmen wandered in to see Hays, but none knew what to do. Doug Frost checked out the rules which, it turned out, gave them the strategy. The caucus would vote up or down on Thompson alone, not between Thompson and Hays. A phone blitz of the House was launched: vote Thompson down so there can be a later vote, "a fair fight," between him and Hays.

The 75 freshmen were the critical bloc. Doing a lot of the talking to them was Phil Burton, the California antiwar liberal who had headed the progressive Democratic Study Group. If Burton thought Hays was good, he couldn't be all that bad.

Why did he think it? Coincident self-interest, as Kissinger teaches, is the mother of all alliances; so it was with the Hays-Burton alliance. Burton wanted to be Speaker of the House sooner or later, and he was running for chairman of the Democratic Caucus on his way to the rostrum. He wasn't the establishment pick, especially not the choice of Majority Leader Thomas "Tip" O'Neill, the heir apparent to the Speakership, who brooked neither rivalry nor the loss of his chance to someday anoint his successor, as other speakers always had. Hays was also an O'Neill non-friend. When he was in line to succeed O'Neill as chairman of the Campaign Committee, Tip came to him and proposed that they be equal co-chairmen. Hays was contemptuous: "You get somebody to nominate you, and I'll get somebody to nominate me and we'll have a vote." Hays became "chairman," O'Neill the less than equal "co-chairman": he didn't care to risk that vote.

Burton searched for ways to work with Hays and his friends. Some House liberals looked down on mere bread and butter Democrats like Hays from the Appalachian region, referring to them as "coal rats." Burton spent time and influence to pass their black lung legislation. During the 1974 campaign, Hays and Burton developed a soft guy, tough guy routine. Hays would tell Burton how much money the Campaign Committee would send a candidate the next week, say $500. Burton would call the candidate, listen sympathetically to his financial woes, and promise to see if he could squeeze, say, $500 out of Hays.

When the Democratic Caucus balloted, the Hays-Burton alliance whipped the House leadership hard: Thompson lost 176 to 109. Now the members could have that "fair vote" between Thompson and Hays at the next caucus. Thompson thought it was hopeless. He told the press he wouldn't run.

To make sure, Hays dispatched a member with a warning for Thompson: if he ran, Hays would strip him of his subcommittee chairmanship. Thompson thought even Hays wouldn't dare do that, and suddenly he didn't care. "Thanks for coming. Tell Wayne to fuck off, I'm back in."

Hays' stick had snapped back at him, but he still had a carrot, which one source says he now dangled to the Black Caucus. He was a chum of lame-duck Attorney General William Saxbe, another old boy of Ohio politics. If the Black Caucus voted right—for Hays—Saxbe might "forget" certain criminal investigations which "might" be embarrassing to certain black members. Harlem's Charles Rangel, the chairman of the black congressional group, had spoken for Thompson the first time. Now he switched to Hays, and most black members went with him. Thompson narrowed the gap by 17 votes, despite the black defection, but Hays had another victory.

Afterwards, Burton got one of those extra rewards only Hays could give: $66,000 of funding for the caucus leader's office, a boon he had refused to Burton's predecessors in that post. Hays, in the judgment of the normally savvy *Almanac of American Politics*, emerged from the great reformation of 1975 with "no likelihood that he will ever be defeated . . . he should remain for the next few years one of the most important and powerful members of the Congress." It was a safe prediction that was to prove again the hazards of all prophecy.

On one of his global forays, Hays treated his congressional traveling companions to a live sex show—at public expense

* * * *

A year later Wayne Hays was happily confiding that he was a changing man, about to embark upon a new personal life, perhaps a new public career. He flew to the Dominican Republic January 15, 1976, for a quickie divorce from his first wife, Martha Judkins Hays. It had been a long separation, since the 1960s, and by the account of a mutual acquaintance, it was "the classic Washington story. Hays' first love was the House. Eventually, she packed and went home to Ohio." Now, at 65, he was planning to be married again, this time to his Ohio secretary and longtime friend, Pat Peak. He sounded serious about retiring from Congress after another term, maybe to be an ambassador; he thought he could persuade the State Department. Or he might run for governor of Ohio, a lifelong dream, if it looked like he had a chance.

There were only two shadows on his horizon. One he hardly saw, except as a petty annoyance: that old girlfriend was back from the casting couches of Hollywood. He had no idea she had signed a book contract while she was gone. The other, longer shadow was cast by the Watergate duo, Woodward and Bernstein. They had finished Nixon; now they were investigating Wayne Hays.

Woodward approached press secretary Carol Clawson in that January of Hays' new life. He had "a stack of material this high" on Hays, Woodward said, raising his hand off the desk. She told Woodward she wanted a chance to see and answer every specific charge. She didn't want the *Post* to do to Hays what it had done to her husband. Ken Clawson was the Nixon p.r. man, the *Post* reported in 1972, who forged the "Canuck" letter that provoked Muskie to tears during the New Hampshire primary.

Carol Clawson was, and is, fiercely loyal to Hays. Her husband, who defended Nixon to the bitter end in afternoon "Cocktails with Clawson" sessions, as the reporters dubbed them, was paralyzed by a stroke 15 months later. The family needed money. Carol was a reporter for the Newhouse newspapers when Hays offered her $30,000 a year to be his press secretary. She warned him that a lot of Democrats might be upset if he hired the wife of Richard Nixon's communications director. "I couldn't care less," Hays snorted, perfectly in character.

Woodward interviewed Hays twice. Afterwards, Hays took the most "extreme" allegations, repeated them, laughed at them; "Woodward," he ridiculed, "thinks I got paid $50,000 for setting up an ambassadorship." But Hays' laughter was a little nervous. There was no liking lost between him and the *Post*. Clawson called friends at the paper, where her husband had been a reporter before he went to the Nixon White House. They told her, she says, that "we worked on the executive before; now we're going to work on the Congress."

The interviews did have a genuinely light moment, Hays told his staff and later other members and senators,

PHOTOGRAPH BY OWEN FRANKEN/LIAISON

After the deluge: Elizabeth Ray covered the Republican Convention for *Hustler*.

embellishing the anecdote in the constant retelling. Woodward had wondered when he was going to marry Pat Peak. Hays said he cracked back: "When Ben Bradlee [editor of the *Post*] makes an honest woman out of Sally Quinn [Bradlee's housemate and the star of the *Post*'s "Style" section]." Woodward asked why that was relevant. "I thought we could have a double wedding," Hays retorted.

Close, but no Pulitzer. Woodward's innocent question was the closest he came to the congressional Watergate: he had the right man, but he was looking for the wrong misdeeds. He overlooked the literal and figurative Deep Throat of this scandal, the secretary who was a Hays aide of several sorts. Woodward joked about Hays' marrying Pat Peak; soon Elizabeth Ray would feel jilted by it.

Ray had been back since July 1975. At first, she boasted of her fiancé the Hollywood producer, but the fantasy quickly faded. For a while, Hays apparently resisted rehiring her; Carol Clawson claims he didn't want her around. A House Administration staffer saw her outside the members' dining room one noontime. "I'm back, I'm looking for a job. If you hear of anything, let me know." A week later, he saw her there again. "I have a job." Where? "The oversight subcommittee." Of what committee? "House Administration." Curious: there was no such thing.

The first some committee members recall hearing of the oversight subcommittee was a Hays appearance on a television show in October. There were, he said, too many subcommittees with too much staff, so he would establish a subcommittee to look into the problem. In the meantime, Liz Ray, who had known about it three months earlier, was stashed on the payroll of Mendel Davis, a thirtyish southern Democrat and a Hays protégé on House Administration. At the October 30th meeting of the full committee, the oversight body was announced and approved without a vote. Hays didn't call for one. He did refer to the new entity casually as "Mr. Davis' committee." It would be budgeted at $40,000, Hays said, with two or three staff, a tight budget. Davis didn't mind: "We will use South Carolina wages."

Two days later, Ray was transferred from her job in Davis' office, at a salary of $11,000 a year, to a slot on the subcommittee, at "South Carolina wages" of $14,000. Mendel Davis later told the press—and, reportedly, the grand jury—that how Ray got the oversight slot was a mystery to him. It also mystified several other women in Davis' office, who thought he had promised the job to them.

After Hays' divorce, he began to worry that Ray was hearing off-key wedding bells—for her and him. Definitely not invited to the pre-wedding reception, she threatened, directly to Hays and through Nina Wilson, to crash it and cause a scene. The morning of the reception, Hays ordered the Capitol police to throw a sobbing Elizabeth Ray out of his office. That afternoon, Wayne Hays and Pat Peak received the great and the powerful—Henry and Nancy Kissinger, Edward Kennedy, George McGovern, Hubert Humphrey, Carl Albert and Phil Burton—all come to celebrate the impending marriage.

Instead of crashing the reception, Ray told all to Marion Clark and Rudy Maxa of the *Post*. Over a now-famous Stouffer's lunch, they heard the Hays story Woodward didn't suspect. It was all so fortuitous: Ray had never seen Maxa before; she had met Clark on a stalled Metroliner a year and a half before, and Clark had asked her to phone in any items of Hill gossip. Until today, Ray had never called. Now she had quite an item.

New York magazine later recounted Maxa and Clark's journey along the Hays-Ray trail. No one appeared to notice that one of the reported exchanges contradicted the charge of salary for sex alone. Ray: "Do I still have to screw you?" Hays: "Well, that never mattered." Hays liked kinky sex, the duo learned, but not too much sex of any kind, not with Ray anyway. He slept with her just twice in the next six weeks, though Maxa and Clark followed them "many times."

In fact, Hays wanted to stop seeing her, his friends argue; he was slowly extricating himself—that's why he slept with her so seldom. But he was afraid to drop her abruptly, flatly, bluntly—that is why he kept seeing her. He once had called her psychiatrist, Dr. Alfred Messore, to see if that's where she really was when she wasn't at work. The doctor, Hays told staffers, replied that he saw her twice a week, that she was insecure and had suicidal tendencies. Reportedly,

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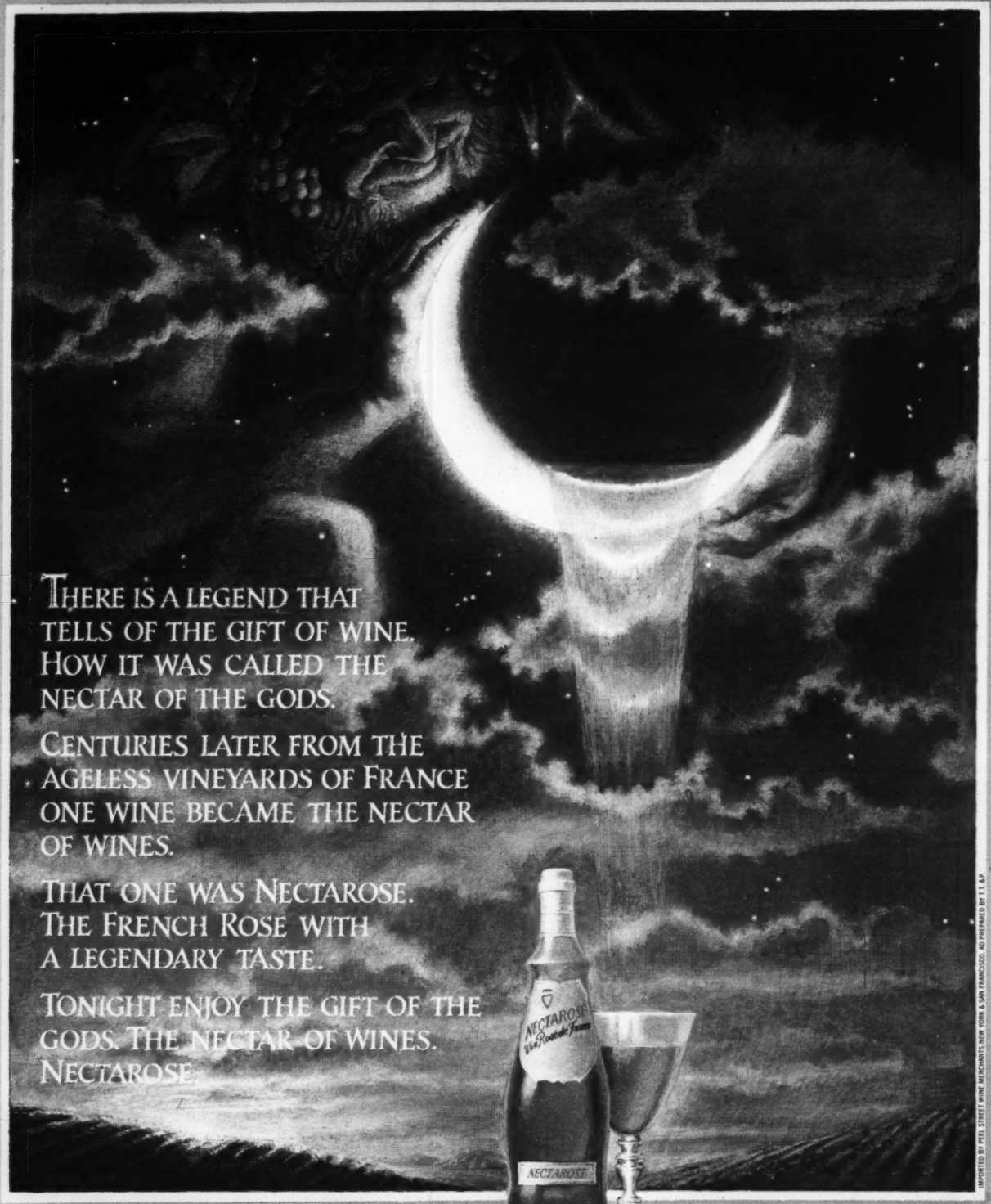
There is a legend that
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How it was called the
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THE NECTAR OF WINES

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Ray also threatened to kill herself in calls to Nina Wilson, her regular intermediary with Hays.

Later, Hays would figure that he had been set up as a publicity stunt for Ray's book. Losing him, she didn't want to settle into being just a secretary. She went to the *Post*. They needed an allegation that he had hired her specifically for sex: otherwise, it was a scandal, not a crime, not fit for the front page. They needed proof; she provided it, cajoling him, appealing to him to see her, pleading for dinner, for a chance to talk things through. Her book was her insurance policy; if he married her, or as long as he was nice to her, she could hold it in abeyance. Now it was all she had left. It was to be published as a novel. But no one, it turned out, would be tempted to take it as fiction.

* * * *

May 21: Mary Russell of the *Post* called Redgate Farms in the morning to speak to Hays. Pat Hays took the message. Her husband and Carol Clawson had already left by chartered plane for an editorial board conference at the Toledo *Blade*. Hays was toeing the waters, gingerly, for that gubernatorial race in 1978. The chartered plane then flew him to political meetings in Columbus, the state capital.

At 5:00 p.m., Rudy Maxa called Doug Frost in Washington. Did he know an Elizabeth Ray? Yes. Did she work for the House Administration Committee? Frost wasn't sure what bookkeeping category she was in. He offered to look it up. No, that wasn't what Maxa really wanted. Was Frost aware of any personal relationship between Hays and Ray? Maxa would have to ask Hays about that himself, Frost would try to reach him. Maxa phoned back several times. But Hays and Clawson were on the road from Columbus, driving to Redgate; there was no way to get them. Frost checked with Nina Wilson. Marion Clark phoned Wilson late and talked long, until 2:30 in the morning.

May 22: The ringing phone woke Hays at sunrise with a message from Wilson. He phoned her and Clark—several times. To Clark, he said none of it was so, except that Ray was a committee employee.

Even though Clawson was right down the hall in the guest room, Hays, impulsive as usual, sought her advice after his denials, not before. "It was something about Elizabeth Ray," he soft-pedaled. "Who's Maxa and Clark? They say they're writing it for the front page." Clawson remembered that Rudy Maxa wrote a gossip column titled "Front Page" in *Potomac*, the *Post*'s Sunday magazine. She quickly returned the previous day's call from Mary Russell at the *Post*. But that call had been a coincidence. Russell hadn't heard of any Clark and Maxa story on Hays. She reassured Clawson, who was a personal friend. Yes, it probably was just a speck of gossip for Maxa's column. And it presumably wasn't for tomorrow's paper, since Clark couldn't be checking this late: *Potomac* was already in print. Clawson and Hays were relieved. At worst, they now assumed, it was a tidbit for some future Sunday, two reporters on a minor fishing expedition.

So why bother his wife with the truth? He didn't. She left for Washington with Clawson at 11:00 a.m.

At 10 o'clock that night, a wire service contacted Carol Clawson. What about the Hays-Ray story? Once again, Hays himself couldn't be reached; he was at a political dinner with House Majority Whip John McFall. Clawson's next reaction was to sequester Pat Hays,

Woodward, in investigating Hays, had the right man, but he was looking for the wrong misdeed. He overlooked the literal and figurative Deep Throat of this scandal

but she couldn't hide the news. Pat would read it in the *Post*. Carol asked Pat to come to the Clawsons' right away. They empathized with her until 4:00 a.m. Ken Clawson thought there might be a libel case. Pat Hays was burning to sue. She assumed the story was false. "How can they do this? The *Post* is out to get him." Her husband didn't tell her any differently when they talked long distance. She couldn't stay with him, she said, if it was true.

Frost, too, had been worrying, slightly, about the wrong "Front Page." He drove downtown to buy the first edition of the *Post* and check out *Potomac* magazine. "It's not in here," he said to a friend who was with him. "Maybe it's in another section." Frost didn't think so. "You don't think it's hard news, do you?"

Now Hays was calling in near despair. "Pat's going to leave me. Maybe the only way to solve this is to put a bullet in my head." Hays told Frost to come to Ohio as fast as he could.

May 23: Maybe it was paranoia, but all the passengers seemed to be staring at the *Post*'s real front page during Frost's early flight to Pittsburgh. He rented a car to drive to Redgate Farms. McFall was still there. Hays was despondent. Frost advised him to make no statement, to go to London on the congressional Magna Carta trip, as planned, to think it through. It was a semi-monologue. Hays had to decide, but he couldn't bring himself to focus.

Television crews had gathered for his scheduled speech that afternoon in Ohio; he was an instant celebrity. It was a signal of his media future: Hays was about to become a four-letter household word. Clawson met Hays and Frost at Washington's National Airport. McFall was with them. Did he need a ride home? "No, that's all right," the majority whip said as he hurried away. The networks wanted to interview Hays; he agreed. Clawson had drafted a statement to be issued the next morning, which should be the basis of Hays' television comments. The statement was cleverly worded: Hays never maintained Ray on "any payroll *as a mistress*."

During the interviews, Hays couldn't stick to this careful formulation. The interviewers asked directly whether Hays had a relationship with Ray. His wife was watching; he had to say no. He said it vehemently. As the questions probed deeper, Frost and Clawson interrupted the filming by calling out, "That's enough, cut it off." They had to pull the tactic at all three networks, several times shuffling their feet to spoil the filming.

The FBI knocked at Nina Wilson's door.

May 24: Hays struck Ray from the House Administration payroll. She hadn't worked over the weekend, an awkward fine point under the circumstances, so he fired her retroactive to Friday, May 21.

For the first time, Hays heard that Ray was writing a book. Around the office there were jokes: "I wonder if she typed it?" But it wasn't funny when Carol Clawson guessed from Nina Wilson's account of her conversation with the reporters that they had followed Hays. She checked with contacts at the *Post*. The paper had omitted that crucial information from the first story. Now Hays was trapped in his own lie: if he insisted on it, the *Post* could publish a day-by-day chronology of his encounters with Ray since April 6. But how would his wife react if he admitted the truth? Hays, worried about his marriage, hiding behind his stonewall, hoped it would hold

WIDE WORLD

UPI

In his prime: Sen. Estes Kefauver (top right) fits a coonskin cap on the head of his 1952 Ohio campaign manager, Wayne Hays. Bottom, Hays (in garish jacket) joins his powerful peers for the signing of the 1974 Campaign Reform Act. Hays, a colleague said, had "told Common Cause to go to hell for all of us."

somehow.

May 25: Frost and Clawson told it to Hays in the morning—that he had no option but a total confession: he had slept with her, but it wasn't a *quid pro quo* for her salary. Frost advised Hays to call for an ethics committee probe. Hays liked the idea. He called the chairman, John Flynt, at home in Georgia to request an investigation, as he later put it in a press release, of "allegations" that Ray was "hired for the exclusive purpose of serving as his mistress." He was better off with the ethics committee than the Justice Department. First, the committee was hardly notorious for being harsh on House members. More important, Hays was convinced that Deputy Attorney General Richard Thornburgh had it in for him. Hays had assailed Thornburgh on April 1 for prosecuting Democratic Congressman James R. Jones for taking Gulf Oil money, while permitting the statute of limitations to toll in a similar case involving Representative John Heinz, a close Thornburgh friend and the Republican Senate candidate in Pennsylvania.

But Hays wasn't ready, quite yet, for his "operation candor." He had to face his wife first. In the next two hours, he apparently did. Then, in a shaky voice, he instructed Frost to prepare a statement but leave it vague about the period after his marriage: the truth, slightly shaded. Dawson Mathis of Georgia, another of Hays' young Southern protégés on House Administration, the son of a Baptist minister, polished the confession.

Hays spoke to a hushed chamber, in a soft tone, out of character. He conceded that he was "mean, arrogant, cantankerous and tough" and even "a human being capable of emotions and errors." Ray was his mistress, but she wasn't hired to be. The applause was self-consciously polite. There were some calls from friends to Hays back in his office. But many good friends weren't that good anymore. Phil Burton came by. He didn't say: "Hang in there." He did say: "Wayne, you got a problem."

But if Hays was discouraged, so were the anti-Hays forces. Frank Thompson told friends that the "mea culpa may be enough; this could well be the end of it." A key reformist staffer sensed the mood: the House might not be cheering but it seemed to be accepting the apology, agreeing with the ploy of an ethics committee probe. He talked with a few congressmen and with Fred Wertheimer, a vice-president of Common Cause, and "we decided that we couldn't let it cool off." They devised a strategy to heat up the issue: forget House Administration for now and go after Hays where he is vulnerable, the chairmanship of the Campaign Committee. For the rest of the week, on the phone and in the cloakroom, they were asking, almost casually: "Do you want to have a campaign contribution with Wayne Hays' name on it?" No matter that the Ray case had nothing to do with the Campaign Committee. The politicians in the House could understand what their Republican opponents would say in the fall.

Tip O'Neill, off in London on the Magna Carta trip, didn't understand yet. In a trans-Atlantic conversation during this period, he was cautious. Overthrowing Hays—that was not, said one member, "where his head was at." The anti-Hays forces intended to adjust Tip's head by the time he was back.

Wayne Hays had one last piece of critical business on this worst of his

days—so far. Though he had said since Sunday that he was consulting "his" lawyers, he in fact didn't have one. Carol Clawson was the one who now recommended Judah Best, the one who once plea-bargained for Spiro Agnew. Best arrived at 6:30 p.m. He took the case. He told Hays: no further public statements without the law firm's prior approval. Reporters were everywhere. Hays could be irritated easily. He might lose his temper. Or he might blow the lid off, blurting who else in Congress had been involved with Ray.

That night Pat Hays told her husband that she might be leaving, that she wasn't sure. She did agree, reluctantly, to lunch with him again in the House dining room the next day. If they were seen together, it might quiet the rumors—which happened to be accurate.

May 26: The grand jury began hearing testimony; the scandal was now a case. Best and two other lawyers from his firm, Arthur Mason and Barry Levine, were at the House Administration Committee. Through Frost, they instructed the staff not to talk to the press because the matter was under litigation. This was fine with the staff, who were weary of being bothered at all hours by reporters, afraid to say a word anyway, not wanting to be involved. One secretary complained: "The *National Enquirer* was at my house last night at midnight." The lawyers also advised that staff members could refuse to speak with the FBI; they had a right to counsel if they did talk to an agent. Best's team took statements from Ray's co-workers that Elizabeth Ray in fact worked.

A "source" told Hays that Ray was naming Hubert Humphrey, Representative Barry Goldwater, Jr., and a New York Republican congressman as other bedmates. Hays felt he had reason to believe it. He called Humphrey, an old friend, to warn him. "Oh my God," Humphrey is said to have groaned. Hays informed Goldwater, who suspected that the Ohioan was trying to drag others in. Maybe he was. All along, Hays was of two minds: he didn't see why he should take the rap alone, but, as he said to Clawson, "I don't want anybody else to go through this."

Members were worrying out loud about the Campaign Committee. Hays wanted to get away; the press was everywhere. He flew home to Ohio, leaving his wife behind to drive out with Carol Clawson the next day.

May 27: Clawson took her husband and 13-year-old son along for a Memorial Day weekend in Ohio. Pat Hays stayed with them the night before; then and during the drive, she was up and down, in and out of her marriage. She was alternately fidgety and depleted. How could she face their friends? Who were their friends now?

From Ohio, Clawson checked with Frost on the mood in the House. Romano Mazzoli, a third-term congressman from Kentucky, had called for Hays to resign—from everything connected with Congress, including his seat. Some members thought it was "chicken-shit" or "bush league," but only one, Marty Russo, of Daley's Chicago, was willing to defend Hays publicly on the floor. "I am sick and tired of people saying politicians are guilty until proven innocent."

When Hays heard about Mazzoli's speech, he exploded. Mazzoli, in a primary contest, had beseeched Hays just weeks before for money from the Campaign Committee. But the committee normally didn't give to one Democrat in a primary against others, Hays replied. Mazzoli said please, he was in real trouble. Hays offered $500. Mazzoli asked for $750. Hays said okay, have the Campaign Committee make out the check and he would sign it. When it showed up on Hays' desk, it was for $1,000. He signed it anyway. Now he cursed Mazzoli as an ingrate.

At House Administration, the

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lawyers were still around, but there was the busyness of business as usual: processing requests for meeting rooms, telephones, equipment. Frank Thompson, next in line for the chairmanship, left Dulles Airport for the International Labor Organization convention in Geneva. He was not scheduled to return until June 13.

Memorial Day Weekend: Hays' continuing obsession was that his bride, as he had proudly referred to her all spring, would walk out on him now. The Clawsons spent hours listening to Pat Hays, encouraging her to see it through, to be loyal: her husband had made a mistake, but he loved her, he needed her. Carol Clawson invited ABC, which had missed a Hays interview earlier in the week, to film silent footage of Wayne and Pat walking across the fields of Redgate Farms. ABC was there and so was everyone else: 30 to 40 reporters and network crews, clamoring for a press conference. Pat Hays nearly refused to go outside, then took her walk with Wayne, who answered no questions. The weekend was tense and long; Ken Clawson, tired out beyond the normal exhaustion of struggling against his paralysis, had to be flown home Sunday night.

In Washington, the anti-Hays strategists switched their focus again. They had won on the Campaign Committee: soon the pressure would be too strong for Hays to resist. The reformist staff member who had instigated the pressure labored with Common Cause's Wertheimer on an anti-Hays letter calling for the Democratic Caucus to force him aside as chairman of House Administration—the objective that had seemed so impractical only days before. Now it might be pulled off, in the judgment of Michigan's Jim O'Hara, who is both liberal and senior in the House. But Gary Hymel, Tip O'Neill's executive assistant, was skeptical. O'Neill had moved, but no farther or faster than the majority of which he was the leader. "Tip thinks it would be enough to get him off the Campaign Committee," Hymel reported. "He doesn't want to monkey with the caucus. It would be tough to persuade him. He doesn't think it would be possible to win."

On Memorial Day, Hays was supposed to dedicate a war memorial in Bannock, Ohio, where he was born. He called the organizers and said that if they didn't want him now, he would understand. "Wayne, we want you," they said. The town, with a main street barely a block and a half long, was overrun with press. The network clips showed Hays evading questions; his lawyers had ordered the silence, but he looked as bad as most viewers thought he was, the worst of the old politics. All he did say seemed to be self-pity and platitudes.

June 1: The anti-Hays forces were turning the Campaign Committee argument, already carried in feeling if not formally, on its head. Members were being warned: if they let him off with losing just the Campaign Committee, the media would charge that all they were interested in was protecting their campaign dollars, not the public dollars of the House Administration Committee.

In the meantime, Illinois Representative Abner Mikva, a Daley machine foe and a tough-minded reformer, enlisted signatures for the anti-Hays letter. He searched out a respected and representative group, not a long and random list. Mikva's first target was Richardson Preyer, the North Carolina moderate widely respected for his integrity. A stickler for procedural fairness, Preyer thought the letter passed that test: the chairmanship the caucus had given in 1975 it could take away, temporarily, for good cause. Others signed—the right mix, liberals, moderates, all of them regarded by their colleagues as first-rate—until there were six. The seventh was to be Marty Russo, Hays' defender six days before. He was sicker and tireder of something different now, his constituents' fierce reaction over the weekend to his being sick and tired of the attacks on Hays. For him, the letter was a way back after stumbling, foot in mouth, to the edge of the political gangplank. And his signature gave it the imprimatur of an organization man, a Daley machine loyalist.

June 2: At a regular breakfast group of Democratic members, Richard Bolling, an advocate of committee reform and an adviser to Speaker Carl Albert, told Mikva and Preyer that their letter would fall flat on its face. The caucus

PHOTOGRAPH BY ED STREEKY/CAMERA 5

Ray with her memorabilia: was she hearing off-key wedding bells?

wouldn't depose Hays, even now. Wisconsin's young progressive, David Obey, said it shouldn't; it really would be unfair. Preyer's voice was strained: "I can't believe what I just heard."

Majority Leader Tip O'Neill, the most finely tuned ear in the House, was no longer picking up the sounds of such caution. Fair or not, the anti-Hays letter, instead of falling flat on its face, reflected and reinforced the forming consensus of rank-and-file Democrats. One more weekend at home with their voters, O'Neill surmised, and they would rush to the coup. Carol Clawson made an appointment to see the majority leader that Wednesday morning. "You can't convict a guy on the basis of a newspaper article," she pleaded. O'Neill was adamant: "Carol, he's got to step down." She reported back to Hays.

Neither Albert nor O'Neill had contacted him since the first *Post* story, so now he went to them. Albert was sympathetic. The situation was slipping out of control. Hays just might save it if he gave up the Campaign Committee. O'Neill told him he had to give it all up, both committees. Hays counter-offered to relinquish the Campaign Committee if he could name his stand-in. "Wayne, you're not nominating anybody." And it was both chairmanships, O'Neill repeated. "Wayne, you think you're talking to an enemy. You're not. You're talking to a guy who's been around the lot many times. And I'm telling you that you've got to step down."

Hays was coming apart, his person and his power. His regular diet of sleeping pills was taking a toll. His wife's hurt and anger, her recurrent near-bolts for the door, further strained his spirits and strength. Now this. Hays decided that he would try it Albert's way, the halfway sacrifice of only the Campaign Committee. It was a nuisance, he rationalized. He never intended to serve another term as chairman of it anyway.

June 3: In a statement written by Clawson and Frost, Hays resigned the Campaign Committee. It was a media fiasco. The networks wanted to film Hays speaking his capitulation. He agreed, but with one condition, as per his lawyer's advice: no questions. Clawson and Frost brought Hays to the International Relations hearing room the back way, through a maze of offices, to avoid mingling with the reporters. Hays got through the statement, barely, stood abruptly, and ducked out the back door.

Slipped onto the end of the resignation was Hays' latest strategy for partially rescuing his House Administration power. He would call a meeting of the committee "to discuss with them any questions concerning my role." The ploy was for Hays to step aside temporarily and name his friend John Dent as chairman *pro tempore*, bypassing his adversary Frank Thompson. Thompson was out of the country but not out of touch. His administrative assistant dictated a memo to him over the phone: "Hays might go to Dent and be upheld by the Committee. This would put you in the position of having to go to the Caucus to reverse Hays' action and the fight would then be Thompson against the Committee, not Thompson against Hays." The counter-strategy recommended by O'Neill's assistant Hymel was to have "a special caucus to preempt Hays"—if he scheduled that House Administration session. It was never necessary; in fact, Hays was never to meet with "his" committee again.

June 4: The Justice Department, in the face of rumors that everyone in Congress does it, announced that no member other than Hays was under investigation "at this time."

June 5–7: Over the weekend and on Monday, congressional scandals dominated the news. *The Chicago Tribune* reported, and *Newsweek* reprinted, that 13 congressmen and two senators were involved with Ray; that a House committee chairman, who was not Wayne Hays, had begged her to submit to bondage. Dell Books, *Newsweek* chortled, had deleted from Ray's novel the naming of a senator by three initials of the same letter—as in H.H.H. There were also supposedly tapes of Ray's other encounters. At first Hays half hoped that all this might temper the pressure on him. Instead, it tightened: Hays had become the symbol of all the scandals; he would become the scapegoat in the oldest sense of the word, the one who, pushed over the cliff, might take the sins of others with him.

PHOTOGRAPH BY DENNIS BRACK/BLACK STAR

Pat and Wayne: She said she couldn't stay with him if the charges were true.

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PONTIAC THE MARK OF GREAT CARS

Again that weekend, the atmosphere at Redgate Farms was tense. Pat Hays was glum. The suspense of her marital feelings seemed as though it would never end.

June 8: Clawson flew to Ohio for election day. Hays' perennially quixotic opponent, Nick Kornick, had carried only a fifth of the primary in 1974. Hays voted this time. He wasn't feeling well, wasn't sleeping; his diverticulitis was acting up. He finally got to the polls at 4:00 p.m.; an ABC camera crew had been waiting there since 6:30 in the morning.

Around midnight, Hays heard that it looked close to the customary landslide. But the news was too tentative, the count was too fragmentary. Ohio's 18th Congressional District still votes by paper ballots, and the bulk of the returns so far were from Hays' special fragment, his native Belmont County.

June 9: As Clawson drove Hays to the Pittsburgh airport for a flight to Washington, they discussed the final results. A landslide for someone else, a disappointment for Hays: Hays won by 20 percent, not the 60 percent margin of 1974.

Hays was returning to Washington to manage the State Department budget authorization on the House floor. But early in the afternoon he felt queasy. He was stretched out on the office couch when his daughter and son-in-law came by to celebrate their wedding anniversary. He labored off the couch to have a piece of cake with them. The authorization bill wouldn't be finished today; he might leave it to someone else and return to Ohio.

First, he asked Carol Clawson to drive him the two blocks to the Democratic Club for dinner with Doug Frost. His mood improved when he dropped in on a fund-raising reception there for Congressman John Moss. A few members walked over, slapped him on the back, even hugged him. He was pleased that nothing bad was said about him when the Campaign Committee elected Californian Jim Corman as his successor. Hays was seizing small straws. The Democratic Caucus was scheduled to meet a week later, June 16, but Hays had a last straw to hold onto: he could agree to stay in Ohio, thereby making Thompson *de facto* chairman. It would avert the final humiliation of being voted out. What Hays didn't know was that the leadership and the anti-Hays bloc already had dismissed that compromise. They had to strike the last blow while the scandal was still hot.

Hays decided against dinner, telling Frost he would talk to him in the morning. He took the elevator upstairs to his apartment in the same building as the Democratic Club. At midnight, he called Carol Clawson from Redgate Farms. He had flown to Pittsburgh, then driven home. She had asked him to call if he went back to Ohio; she was worried that Hays, a notoriously "lousy driver" in the best of times, might be worse in his current state. He sounded very tired on the phone.

Sometime in the next minutes or hours, Hays swallowed ten times the normal dose of Dalmane, the sleeping pills he had been eating night after night.

June 10: Clawson talked with Pat Hays on the phone four times between 9:00 and 10:30 in the morning. The grand jury was investigating Hays' antique collection. His anguishing wife continued to be his efficient aide, as she had been for years before the marriage. Now Pat Hays was assembling receipts for the antiques. Each time, Clawson asked her how Wayne was. Asleep. Still asleep. When Clawson called again at 10:45 a.m. no one answered. Between 11:30 and noon, she heard from a friend of Pat Hays: Wayne was in the Barnesville, Ohio, hospital; they didn't know how serious it was yet.

On May 24, Hays heard that Ray was writing a book. Around the office, there were jokes: "I wonder if she typed it?"

Clawson tried to reach Hays' doctor, Dick Phillips. His office in Ohio said he was in Washington. They, too, were trying to track him down; his mother-in-law had just had a heart attack. While Clawson was phoning, the House was funding the ethics investigation 400 to 0 without the normal referral to the Administration Committee. She finally reached Phillips on the page phone at the Pittsburgh airport. He would get back to her as soon as he could.

It was serious, very serious, Phillips said in his next call. The press was coming to Barnesville, so Clawson should, too. It took her a while. She had to arrange on short notice for someone to look after her paralyzed husband, who required constant attention and periodic insulin shots. She left Dulles Airport with Hays' lawyer, Jud Best, in his private plane at 10:30 p.m.

They arrived to find the small hospital flooded with reporters and camera crews. Clawson saw Hays in intensive care right after the specialists from Pittsburgh. He was still in a coma, but they said he would make it. They were concerned about brain damage—or paralysis. Clawson briefed the press at 2:00 a.m., scheduled the next briefing for 9:00 a.m., then she and Pat Hays tried to get some sleep in a hospital room.

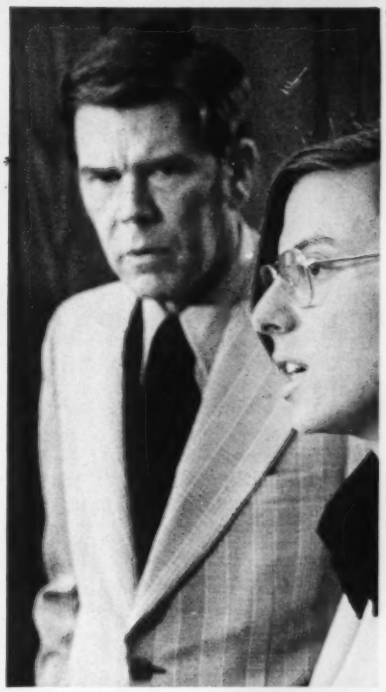
June 11: At 5:30 a.m., a nurse awakened them. Hays had come to; he was asking for his wife. He was in a semi-conscious, semi-comatose state, fading in and out. For the next day and a half, he had a constant case of hiccups. His diverticulitis was bad. He was hooked up to machines. He nagged about these nuisances but didn't ask: what happened? There was no discussion of suicide.

But the press asked Clawson at the 9:00 a.m. briefing. She wasn't about to troop into Hays' room and question whether he had tried to kill himself.

June 12–15: Newspaper accounts on June 12 disclosed the double salary of Hays aide Don Gosny. A drumfire of stories followed: on June 13, Utah Congressman Allan Howe was arrested for soliciting police decoy prostitutes; on Monday, *Time* told of "Jack the Tipper," who knew the "dark corners" of Capitol Hill and claimed that another Hays secretary quit when Hays demanded that she "do it" on his desk during her lunch hour; on Tuesday, Colleen Gardner offered proof, on tape, of her phone assignations with Texas Representative John Young, who allegedly paid her $20,000 a year for sexual services; on Wednesday, Representative Joe Waggoner was arrested for, ditto, soliciting a police decoy streetwalker.

In this atmosphere, Carol Clawson sought out Phil Burton in the Rayburn Room off the floor of the House. Burton was blunt: "I want to stay as far away as possible." He wouldn't return Hays' phone calls, so Clawson dialed Redgate Farms and, when Hays was on the line, handed the receiver to Burton. Burton told the other half of their fading alliance that things didn't look good.

June 16–18: The Democratic Caucus delayed the vote on Hays until June 23, when he presumably could be present. Afterwards, Hays phoned Burton again, who took this call only after he asked Abner Mikva to his office as a witness. Hays asked what happened. Burton replied that they postponed it for a week. What if Hays didn't show up, if he just stayed in Ohio? "Wayne, you're going to get stripped." Hays pleaded: is there any way for *us* to fight it? *You* just don't have the votes, Burton told him.



Fighting for his life: press secretary Clawson (right) reveals that Hays has emerged from his coma; Dr. Richard Phillips looks on. But it was too late for sympathy. Already old Hays friends like Phil Burton (far left) were looking for new friends—and soon Frank Thompson (speaking in left photo) would be the new chairman of House Administration.

What should Hays do? Resign the chairmanship now. Burton agreed to write the letter for him.

Afterwards, Mikva offered to find someone else to do the drafting. Burton was too associated with Hays for his own good. In surely the most ironic moment of the whole affair, Mikva's someone else turned out to be that reformist staff member who had sparked the anti-Hays move three weeks before. It was as if Peter Rodino had written Nixon's farewell address. On September 17, Mikva handed the draft to Clawson. She flew to Ohio,where Hays, home from the hospital but still confined to bed, signed it. The next day Clawson delivered it to Speaker Albert. She announced that Hays would continue to seek reelection. "We didn't care about that," one member recalls. "If he stayed around Congress, he would just be another Wilbur Mills."

June 19–21: Clawson and Frost packed Hays' files at the Administration Committee, then moved them to his congressional office.

June 23: The Democratic Caucus officially ratified Frank Thompson as Hays' successor. That afternoon, he summoned four Administration Committee staffers for nearly 30 minutes of gentle firing. Finally, he said it directly: he would like them to leave by five. They would have 30 days of severance pay.

No one else was to be fired other than Frost, Clawson, office manager Nina Wilson and committee counsel Paul Wohl. Wohl wanted to see Thompson alone; he was, the others knew, desperate to keep his job. He would petition for it; he would insist, as he has since, that "he had nothing to do with it." But it wasn't a matter of culpability: for example, Thompson would be willing to give Frost a strong recommendation. But he did want to pick his own staff. Now they were changing the locks and going through the files in the committee offices. The House service crew wouldn't provide Carol Clawson with a flatbed truck to move her files; the summer interns carried them to her car.

* * * *

Through the summer, Carol Clawson, on Hays' congressional payroll at a reduced salary, answered press calls about each new allegation. The House ethics committee was gearing up for hearings. Hays was afraid of them. His bride—he still called her that occasionally—hated the publicity. The prospect of hearings smoldered between them. Members and staff of the ethics committee assured Clawson that they were less likely to pursue the investigation if Hays withdrew as a candidate for reelection to Congress. So he did. It was almost as if Pat Hays, in recompense, forced him to prove that, unlike his first wife, he loved her more than the House.

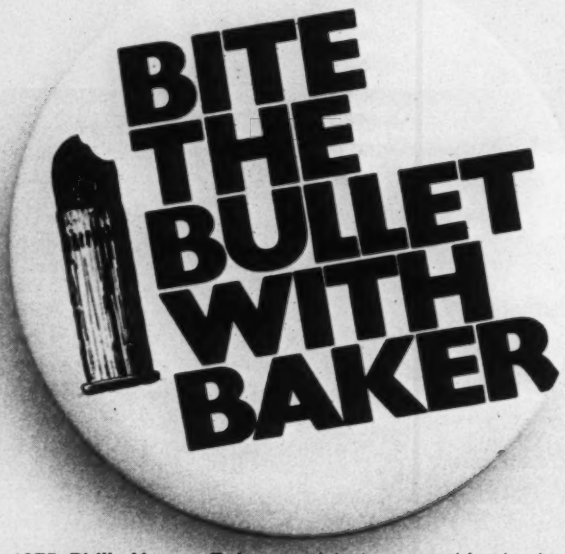
In August, Elizabeth Ray represented *Hustler*, the raunchiest of the *Playboy* rivals, at the Republican Convention. She complained because she was assigned a single room in a Holiday Inn instead of a suite in a luxury hotel. Later, she had a chin job. Soon, in Chicago, she will play the lead role in *Will Success Spoil Rock Hunter?*

The public pressure was irrepressible: the ethics committee scheduled the Hays hearings. Hays was ravaged. His wife couldn't, she wouldn't, take it anymore. Judah Best went to Speaker Albert. "Will you help?" Albert was sympathetic; he would. Best and Clawson wrote him a letter, at his suggestion, describing Hays' condition. Albert forwarded it to the ethics committee with a covering note, but no recommendation. The committee voted unanimously to proceed. F. Edward Hebert, whose Armed Services chairmanship was swept away in the 1975 reform wave that ironically marked the high tide of Hays' power, phoned the bad news to Wayne. Hays let Clawson compose this one last letter of his congressional career. He didn't sign it personally. It was signed on the autopen, one of the many costly conveniences Hays could provide, in the days of his power, for members' offices. ●

BY PAUL SLANSKY

THE OTHER CANDIDATES

Disenchanted with Ford and Carter? Had enough of Get-Clean-With-Gene? If you haven't already declared your own candidacy, it's too late to file with the Federal Election Commission. But don't despair: 204 other hopefuls — many of them with no specific party affiliation — have registered with the FEC as presidential candidates, having duly formed campaign committees and appointed chairmen and treasurers. (This represents a 300 percent increase over the number of candidates in 1972.) Following is just a sampling of these staunch citizens who, in one way or another, have swallowed the notion that any American can grow up to be president. Few, come Election Day, will appear on any ballot, which, with 131 of the candidates reporting *no* campaign expenditures, is not surprising. In fact, most will admit to no real expectation of ever setting up shop in the Oval Office. All the same, for each of these makeshift politicians there remains a glimmer of hope, the fantastical notion that, yes, it *could* happen. As Candidate Caroline Killeen commented somewhat wistfully, "I have a knack for politics. This thing could take off like a comet."

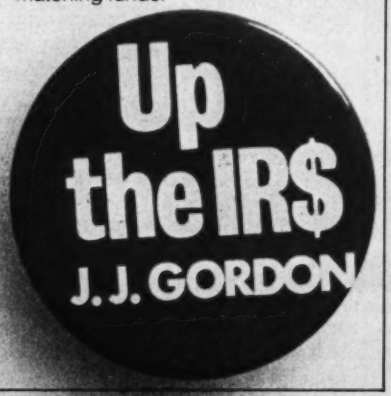


In January 1975, **Philip Vernon Baker** was falsely arrested for drunken driving in his home town of Shively, Kentucky. When he pulled off the road, Mr. Baker was ordered by five police officers to surrender the two handguns that were lying on the front seat. "I probably could have killed at least one or two," he muses in a campaign handout describing the event. Instead, he stifled this impulse, "primarily because I want to become your next President!" Baker's modest ambitions don't stop there, as his campaign manual—*Why I Want To Be Your President And Congressman In 1976*—attests. The candidate, running on a platform of nonviolence ("Let There Be Peace On Earth—Let It Begin With Me"), promises to "put Saturday Night Specials in the hands of every law-abiding adult . . . this is the only way we're going to wipe out crime in America."

By 1980, when he begins his first term as President of the United States of the World, Baker expects to have his shuttle spaceship program in full operation, "so that we can fly hundreds of millions of our people off this planet to other habitable planets in our universe." (Mr. Baker owns a flying school and sells airplanes. Whether this would be considered a conflict of interest is yet to be decided.) Criminals are high on Baker's prospective passenger list. He compares this program to Britain's colonization of Australia, adding, "Now Australia is one of the best continents to live on, as you must know from Helen Reddy!" Such grandiose plans would seem preposterous coming from an ordinary citizen, but this candidate's credentials are impressive. "I am, in REALITY, Abraham Lincoln," he declares, "reincarnated by the body and mind of Philip Vernon Baker."

"Détente involves far greater crimes than a thousand Watergates," says **Don DuMont,** who literally "dove into the Presidential swim" at a Chicago pool last November. He has suggested that the controversial New Hampshire motto, "Live Free or Die," be changed to the less wishy-washy "Better Dead than Red."

J. John Gordon heads the Anti Shyster Legion, "dedicated to the removal of all shyster lawyers from all government and the exposure of the Rockefellers as the murderers of John F. Kennedy." Mr. Gordon's bitterness toward members of the bar is understandable, since he claims to have been imprisoned from December 1975 through March 1976 as a result of the efforts of the "legal whorehouse known as U.S. District Court, Boston" to sabotage his campaign. Within 24 hours of assuming office, Mr. Gordon will abolish the Internal Revenue Service and prosecute all who were connected with "this criminal treasonous enterprise." Although he is yet to receive a penny, the candidate claims to qualify for $5 million in matching funds.



Honors for the most prolific candidate go to **Reverend Johnnie Mae Hackworthe,** who churns out lengthy newsletters almost daily. In marked contrast to the dreary preoccupation with the issues that renders most campaign literature unreadable, Rev. Hackworthe's manifestos are pure soap opera. (One recent effort disclosed that the candidate's real infant son had been returned to her by gypsies eight months after the hospital deliberately gave her someone else's child, her parents were slain by a descendant of John Wilkes Booth, and Eisenhower and Johnson arranged the Kennedy assassination after JFK decided to dump LBJ from the 1964 ticket.)

"I expect to be elected because the Lord told me I would be the 39th President," the 72-year-old Reverend declares. "There's no if about it for me." Her alternate scenario has Rockefeller leaving office before November 2, at which time Ford will name Johnnie Mae vice-president and then resign. When queried about the possibility of Ford's sticking with running-mate Dole, Johnnie Mae replied: "Well, he could, but the Lord would intervene."

"I Can Deliver Your Mail," says **Frank Littlejohn Haile,** whose platform "consists entirely of U.S. Mail matters." Mr. Haile proposes a reduction of the first-class rate from 13 cents to 10 cents, and would institute twice a day delivery to every American home and business. "America's leadership in the world depends on our ability to deliver both local and foreign mail on time," he says.

"My main qualification to be president," says **Artis G. Isaac,** "lies in the fact that I am indeed closer to God than any man on earth!" His claims of clairvoyance include foreseeing President Johnson's death: "I wrote 'Eulogy for LBJ' and sent it to Mrs. Johnson for a birthday present exactly one month before LBJ passed away!" It is worth noting that Mr. Isaac's declaration of his candidacy, dated February 4, 1976, ends as follows: "P.S.—God will stop old 'Nasty' Wayne Hays, Just Watch!"

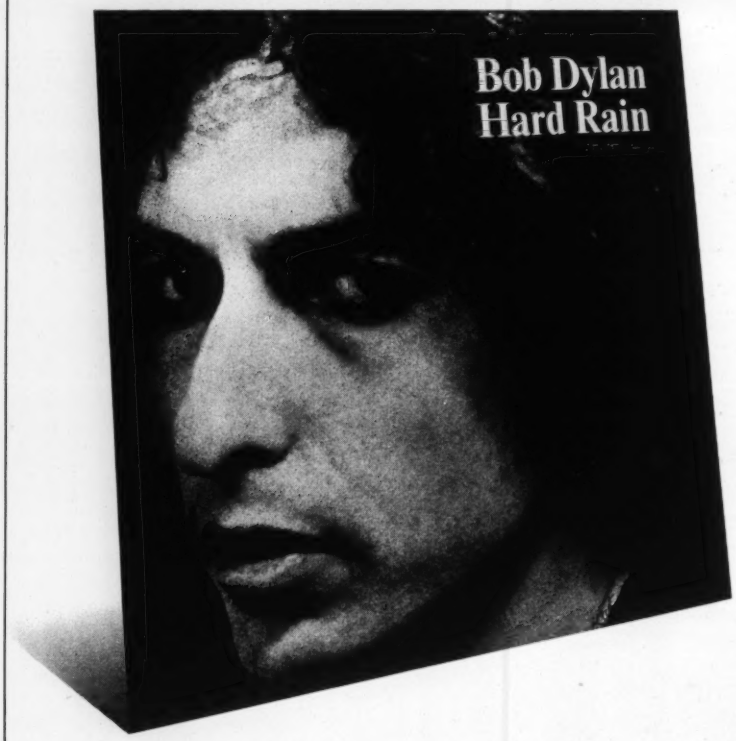
After spending her last $1,200 on her six-month, 7,000-mile bicycle campaign, **Caroline Killeen** is back in Tucson. Ms. Killeen, whose main concerns are ecological, says she foresaw this impasse early on. "It's hard to recruit any formidable support," she explains. "I wrote to Robert Redford hoping to get him into this campaign," but she has received no commitment from the actor. Nonetheless, she is far from giving up. "I have a knack for politics," she says. "This thing could take off like a comet."

According to one contender, four states engaged in a "criminal conspiracy to rig the elections for the Office of President." This insidious scheme was implemented by "deliberately leaving off the Primary ballots" the name of one of the declared candidates—**Charles C. Compton.** Mr. Compton's political career dates back to 1954, when, as he tells it, he was jailed in Florida after the local Republicans realized it was the only way to prevent him from capturing the gubernatorial nomination. Mr. Compton is an alumnus of Chattahoochie Mental Institution, where he majored in shock treatment in 1955.

Retired Air Force Sergeant **Billy Joe Clegg** does not expect to win his third race for the White House, but he is issuing press releases "to keep my name before the public for 1980." Marijuana is one of Mr. Clegg's pet peeves. "Down in Oklahoma we hang 'em for even bringin' up the subject," he chuckles. "First, the Communists get the kids hooked on free love and free sex, then they start 'em on marijuana, then the hard stuff. Before you know it they're on to atheism and socialism, and the only way to fight it is with the word of God," which Mr. Clegg received from a reliable source. "This may shock you," he warns, "but in 1970 I not only saw angels but I conversed with them."

PHOTOGRAPH BY STEVE PHILLIPS

Live, because.



Bob Dylan's "Hard Rain."
On Columbia Records and Tapes.

Produced by Don DeVito and Bob Dylan

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Georgia TV repairman **Carl F. Freeman** would cut unemployment by bringing 5 million people back to the farms, and by revitalizing the nation's railroads. "I am by no means a nut or a one-issue man," the candidate says, though he adds that his wife "thinks I'm making a fool of myself."

Chicagoan **Lar Daly,** who favors the immediate annihilation of Red China and Cuba, is also "known throughout America as the most outspoken defender and champion of the late U.S. Senator Joseph R. McCarthy." His career in presidential politics began in 1952, when he was founder of the MacArthur for President Committee.

"One of the purposes of my candidacy," says **Jefferson T. Baker, Jr.,** "is to further prove how effectively and how quickly and how summarily a poor candidate can be defeated under the existing system." By early July his campaign had run up an awesome $3.85 in expenses. Despite his determination to maintain a low profile, three people somehow managed to find out about his efforts. A $2 contribution and two stamped envelopes requesting campaign literature were returned to their respective senders, swelling Mr. Baker's expenditures by an unexpected 39 cents.

Charles Norton Averill is the candidate of the American Peoples Freedom Party, whose membership, counting Averill, numbers one. With such a narrow political base, a special strategy would appear to be imperative, and Mr. Averill has come up with a good one: he has filed as "a candidate for President of America in the General Election to be held . . . on Nov. 14, 1976 A.D.," by which time he will be the only candidate.

"If I get elected, I wouldn't be satisfied until there wasn't one rat, mice or roach in the U.S.," **Frank Lomento** says, "so I guess I'd never be satisfied." He is not accepting any contributions, saying, "Frank Lomento for '76 doesn't bum money from people."

This is the fourth time out for **Lucy Mayberry,** a great-grandmother from Washington, D.C. She is calling for a halt to weapons production and cancellation of the national debt, interest on which she has calculated to be $1,200 per second. Although she has spent $2,000 on her campaign, she is realistic about her prospects. "I know that the best I can do is get a few ideas out," she says, "but if I do get elected I will take the job, and Jerry Brown will be my vice-president."

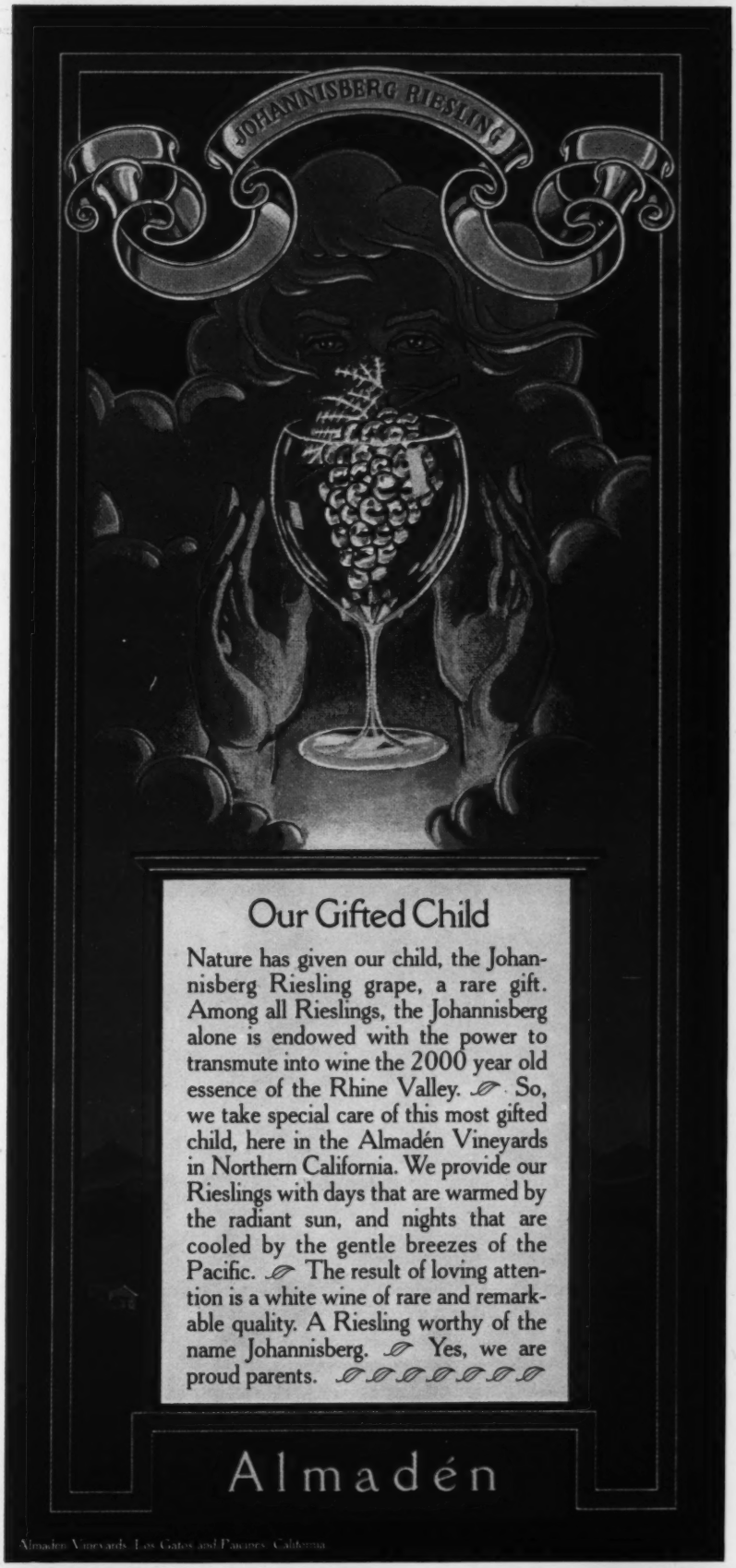
One of the nation's major problems, according to the only career mathematician in the race, is the lack of professional and bureaucratic accountability, which allows white-collar criminals to thrive. Mr. **Accountability Burns** (his legal name since 1974) raises an interesting point, but unfortunately, his campaign literature undermines the credibility of his candidacy, containing as it does several cryptic references to "messages from Mars."

When **Clarence L. Courton** ("Ima Courton U") registered his candidacy with the FEC, he sent along a position paper on "Zoinist" influence in America: "Everyone knows the Zoinists' penchant for creating martyrs out of peaceful children and religious Jewish adults as demonstrated by their gunning down the school house hostages and blaming others." He proposes a "referendum to make Israel the fifty-first state so we can eliminate the present imbalance where she has seventy senators instead of the usual two." If elected, he will name Cornelia Wallace vice-president.

"I suggest we let the next president of the United States—me—have the honor of losing the first war for the U.S. and leading the nation into bankruptcy," says **Paul E. Trent.** who has aimed his campaign at pointing out the dangers of the current tax loophole system. Of particular concern to Mr. Trent is the tax exemption available to anyone who claims to be a minister (he has filed as a minister himself to point out the absurdity of the law). Trent is not a one-issue man, however. When asked how he stood on oil, he replied, "Very carefully."

Ice-cream vendor **Captain James L. Evans** had hoped to be the nominee of both the Democratic and Republican parties, thereby greatly enhancing his chances for victory. Although those honors failed to materialize, the captain is still the candidate of the Hevan [sic] On Earth Party. Evans promises that, should his presidency fail to fulfull its stated goals, "I will submit myself for World Televised Crusifiction [sic] to an Actual Cross."

William L. Knaus, the Archonist candidate for president (and for senator in Minnesota) favors "specific renunciation of Zionism and of amoral, superfluous Israel." Mr. Knaus is particularly incensed by "Zionist-Jewish manipulation of national policy." Lest one get the wrong idea, Knaus assures us that he is not an anti-Semite.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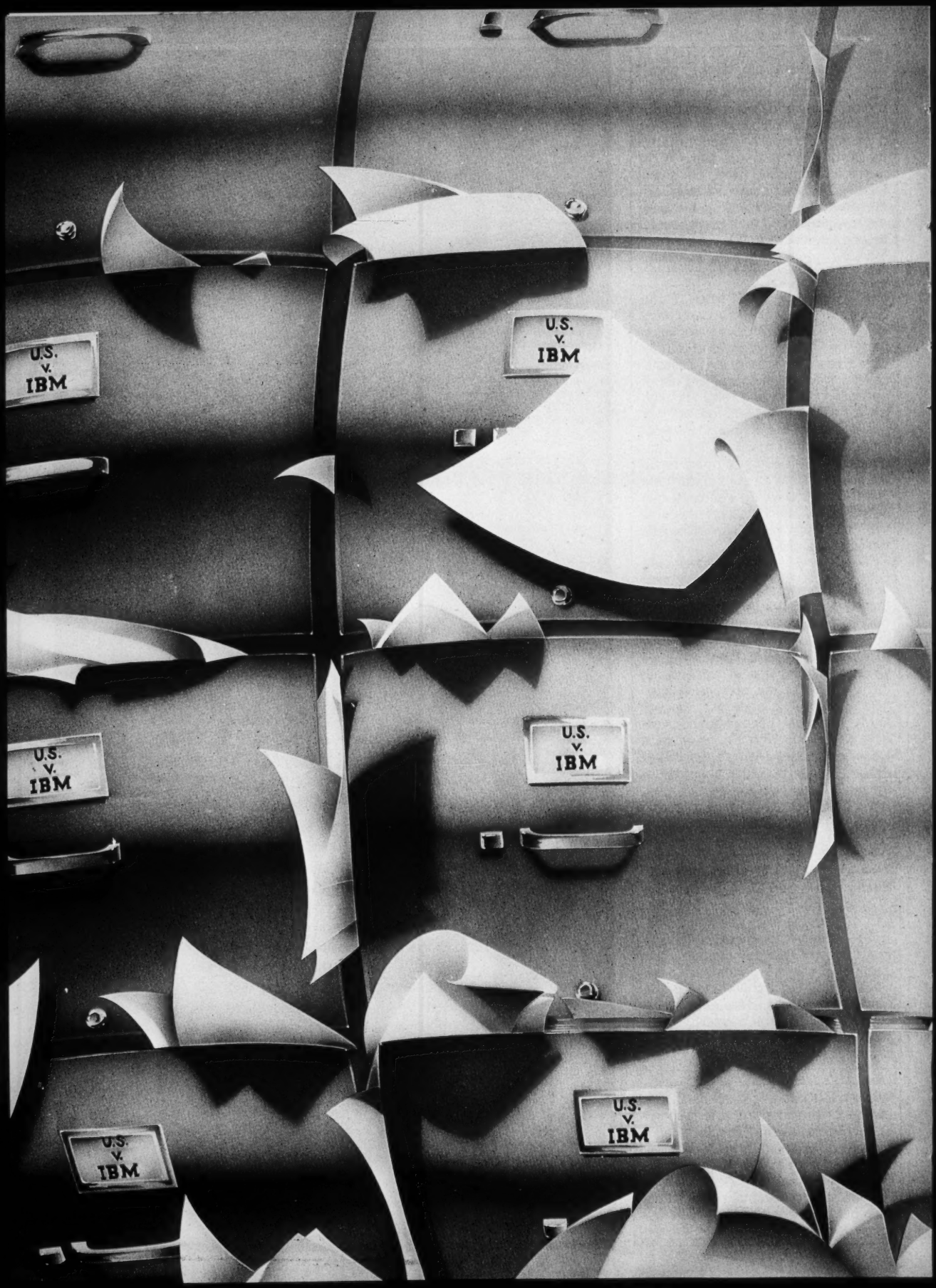
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THE ENDLESS TRIAL OF IBM

Every day IBM earns another $5.4 million. If, as the government charges, some of that booty is monopoly profit, you can guess why the computer giant might want the *U.S. v. IBM* antitrust trial to last years, decades...forever

By Arthur Lubow

This is a story about paper: 6 billion sheets of it. Stacked neatly, it would form a pile 700 miles high. Scattered less elegantly, it creates a backdrop to what may be the greatest antitrust trial in history: *U.S. v. IBM*. Seventeen months have passed since the trial began in New York's Foley Square courthouse. Thirty-four witnesses have taken the stand; 470 more are scheduled to appear. Some might think you have to stand back to see the larger picture, but they're wrong. In *U.S. v. IBM*, the forest is the trees—or, more precisely, the trees that are blanched and shaved into paper. Some paper goes for documents, some paper goes for money.

The chairman of a large computer company in Minneapolis was once standing by his office window when he noticed a chain of black limousines in the circular driveway. "My God, it looks like there's a funeral outside," he exclaimed, and he quickly sent an aide to investigate. "That's no funeral," the aide reported on his return. "Those are just the IBM lawyers coming back from lunch." Perhaps 50 barristers from the top-flight Wall Street law firm of Cravath, Swaine and Moore (and that's not counting the hundred or more IBM lawyers working in-house) spend most of their time fighting antitrust suits for IBM. The Cravath firm has opened one branch office two

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SHELTER

blocks from the U.S. courthouse and another near IBM divisional headquarters in White Plains, N.Y. The joke is that when Cravath goes public, IBM will be the first to buy stock. Defending IBM is a full-time (and rewarding) job.

More than six years ago, on the last day of the Johnson Administration, Attorney General Ramsey Clark signed the complaint that has resulted in this trial. "Computers seemed as key as anything, not only because of their size—this huge, new and growing industry—but also because of their impact on all other industries," Clark recalls. "We felt this would be a key field in which to use a fairly slim resource, the enforcement procedure." With a stroke of the pen, he created an empire. Today, there is a court transcript numbering 27,000 pages—and that's not counting the 1,600 exhibits. A special room in the courthouse is allocated for storing these documents. An IBM Antitrust Litigation Service provides its 23 subscribers with a day-by-day account of courtroom events. At least a dozen computer companies have filed private antitrust actions against IBM since the Justice Department made its move in January 1969. IBM says it has 6 billion sheets of paper relating to these suits. One IBM critic estimates that IBM has spent $200 million to defend itself from the legal onslaught. The Justice Department (which, unlike IBM, reveals its expenses) has invested over $4 million in this case, plus the salaries for the staff—a staff that now numbers 21 full-time attorneys, 25 full-time support personnel (ranging from academic consultants to secretaries) and 20 part-time attorneys.

And there is no relief in sight. Indeed, who knows what sort of relief Justice should be seeking? IBM could be broken up horizontally, into separate companies specializing in main-frame computers, office equipment, software (programming), etc. But that surgery would be complicated and might result in reduced efficiency, bringing increased costs for consumers. IBM could also be split vertically into several smaller IBMs, but that's an option which terrifies competitors: says Control Data Corporation vice-president Robert Hawkins, "You take an amoeba and break it in five parts and you get five big amoebas." The government could regulate the industry or police IBM; but short of nationalization, such controls would only stamp a government approval seal on IBM hegemony. So the trial runs on, like a river that has lost its way to the sea, like a novel whose author has no idea how to end it.

Which is just fine with IBM. Another day, another $5.4 million of after-tax earnings. If, as the government charges, some of this booty is monopoly profit, it's not hard to understand why IBM seems unconcerned that the trial may last months, years, decades. . . . As IBM gracefully leads, knowing that the money keeps rolling in and the market keeps changing, the government, slightly lame, follows with toe-trodding incompetence. At a Senate hearing, former Attorney General Nicholas Katzenbach, who is now general counsel to IBM, was asked if he thought the government had adequate resources to prosecute the case. "I do; yes," he replied, a little self-righteously, and he added: "It does seem strange to me . . . to think that a private corporation might have more resources than the government of the United States."

Strange, indeed. It was strange in July 1973 to watch the procession of limousines whisking the IBM lawyers back to their Westchester homes, after then-IBM Chairman T.V. Learson gave his deposition; while lead government attorneys Raymond Carlson and Joseph Widmar relaxed in the cheapest rooms of a cheap hotel so that they would stay within their $25 per diem expense allowances. It is strange that the Cravath firm runs a 24-hour shop, working its lawyers in 8-hour shifts, during the four days that the court meets in New York; and then transports its lawyers up to White Plains on Thursday evening, where they live in rented houses and spend the weekend working on the case. It is strange that Raymond Carlson, who is prosecuting the biggest antitrust case in history, has announced that he eagerly anticipates his upcoming retirement, when he hopes to coach tennis. It is strange that the top salary in the Antitrust Division is $37,800, while a partner at Cravath can easily make five times that amount. All of this is so strange, in fact, that it doesn't seem strange at all when an IBM adversary says bitterly, "If you've got a buck to spend, they've got a hundred."

Everyone knows that time is money—at Cravath, a lawyer's hour may cost $100—but IBM has reversed the equation, demonstrating that money can buy time. In December 1972, at IBM's urging, the court took a jaunt to Cape Canaveral to look at computers during an Apollo moonshot, although comparable machines might have been observed a few blocks away in the business district of New York. Although the judge was eager to go on that trip, he declined another IBM suggestion: a voyage to England to supervise the taking of de-

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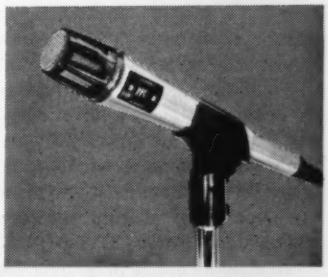

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positions.

Depositions soak up a great deal of money, energy and time. One of the key issues in a monopoly case is the definition of the market: Just what is the firm monopolizing? When IBM's efforts to make that question the subject of another trial were unsuccessful, the company did the next best thing. In pretrial discovery procedures related to the Justice case, IBM asked to take a census of 2,700 companies that it said were competitors in the electronic data processing business. The late Judge Philip Neville of Minneapolis, who was supervising the pretrial procedures, realized that two or three depositions might be demanded from each of the 2,700 companies: the process would add two or three years to the case. So he ordered instead that a written questionnaire be circulated. The responses filled 34 boxes the size of file cabinets: the court clerk said that the lawsuit had created the work of 100 ordinary cases. But finally, in 1972, the collation and analysis were completed. And then, pointing out that the 1970 statistics were now two years old, IBM asked for an update. "I just finally had to say this has to cease," Neville testified in the Senate. "If we are going to abide the requests, then it becomes a year old again before perfected, and we do it a third time, and we never get anywhere."

U.S. v. *IBM* is a critical trial. Billions of dollars and the future of the industry are at stake. And yet it's moving like a carousel, with painted horses bobbing up and down in time to loop-de-loop music. It isn't getting anywhere. To appreciate the rhythms of the case, consider the continuing battle over confidential documents. In 1972 the judge ordered IBM to produce documents that it had surrendered ("inadvertently," said IBM) in a previous antitrust case. Saying that the documents were protected by lawyer-client confidentiality, IBM's attorneys refused. The judge then levied an enormous fine of $150,000 a day until the documents were turned over. Before 24 hours had passed, however, IBM was able to have another court stay that fine. It then took the rare move of appealing the judge's order in higher courts. A three-man panel agreed with IBM, but when the full appeals court met in May 1973, it decided it lacked jurisdiction. The matter went to the Supreme Court, which in May 1974 announced that it too lacked jurisdiction. So almost two years after the judge's original order, IBM surrendered the documents.

"IBM fights not to hand over the papers they're ordered to turn over," says Jack Biddle, executive director of the anti-IBM Computer Industry Association (CIA). "By the time they give them up, it's too late to help the other side in taking depositions." IBM believes it is more blessed to receive than to give. Company lawyers and paralegals spent a week and a half rummaging through the files of Biddle's CIA, shuttling papers from Washington to New York in a private plane. "They had an all-encompassing subpoena for every record of every type," says Biddle. "They took literally everything but a love letter to my wife, and if I said in that letter that I was going up to New York to listen in on the *U.S.* case, they could have that, too."

The painstaking toil of the IBM law team, with endless delays and harassment of competitors, forms the melody of the trial; the low rumble of Justice incompetence provides the counter-

PHOTOGRAPH BY NEWSWEEK/BERNARD GOTFRYD

Judge David N. Edelstein: a less cautious eye might have glazed over.

point. Like the Cravath team, the government attorneys are very ambitious in their discovery procedure. But it's hard to see what they're driving at. They are collecting paper with the mindless devotion of junkmen. "We played the defendant's ball game and let it be complex," says one metaphor-happy lawyer who worked on the Justice case. "It was a mistake. You should shoot with a rifle and not with buckshot." Another government lawyer was taken off the case in the fall of 1972 after he tore up a document. He had planned to inform the judge that he was in contempt of court, hoping to stimulate a public discussion of the evils of bureaucracy which, in his case, may have literally driven a man insane. Comments a distinguished law professor: "Generally speaking, I think the government tends to overdiscover—if you determine exactly what your case is, you know what you're looking for. I'm not impressed with the way the government is handling the case."

The neatest dovetailing of IBM procrastination and Justice inefficiency produced the Great Xerox Disaster in late 1974. Out of the mounds of papers that litter this case the Justice Department had winnowed 10,000 pages of "key documents." It needed six copies —two for the judge, two for IBM, two for its own use. When IBM wants to photocopy documents, it does the job at its mammoth document storage center in West Nyack, N.Y., which comes in handy on these antitrust occasions. The Justice Department sends out its papers to a Xerox outlet in Arlington, Va. This time they came back hopelessly garbled—illegible and out of order. The core of the government case had been turned into a giant jigsaw puzzle. For weeks all of the government's men worked to put Humpty Dumpty back together again. "We had at the time a staff of ten lawyers and six clerks," recalls Justice attorney Joseph Widmar, "and some other lawyers came up to New York from Washington to help out. How much legal time was spent on it? I can say that the lawyers spent a good deal of time on it, and I can say that all the lawyers spent some time on it, but I can't say that all of the lawyers spent all of their time on it." What caused the Xerox disaster? Was it a penalty of poverty, exacted from an underequipped department that had to farm out its work to outside contractors? Was it an organizational error, committed by an overworked staff that poorly presented its papers to the photocopier? Or was it a delay engineered by wily IBM lawyers, who provided the government with fuzzy second or third generation photocopies that reproduced illegibly? The cause may be murky, but the result was clear: the trial was postponed three months while the Justice Department pulled itself together.

It was the second catastrophe to befall the Justice team since the suit was filed. The first had occurred a year earlier, when a flick of the finger toppled a castle of cards. And here, unlike the Xerox Disaster, it was clear who had flicked the finger.

Soon after filing its lawsuit in 1969, the Justice Department asked IBM to turn over a group of specified "decisional documents." They got back 17 million pages, 18 tons of paper, enough

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(The answers are: The taser. The blimp. And Oyo-Tunji, South Carolina – where it seems to *work!*)

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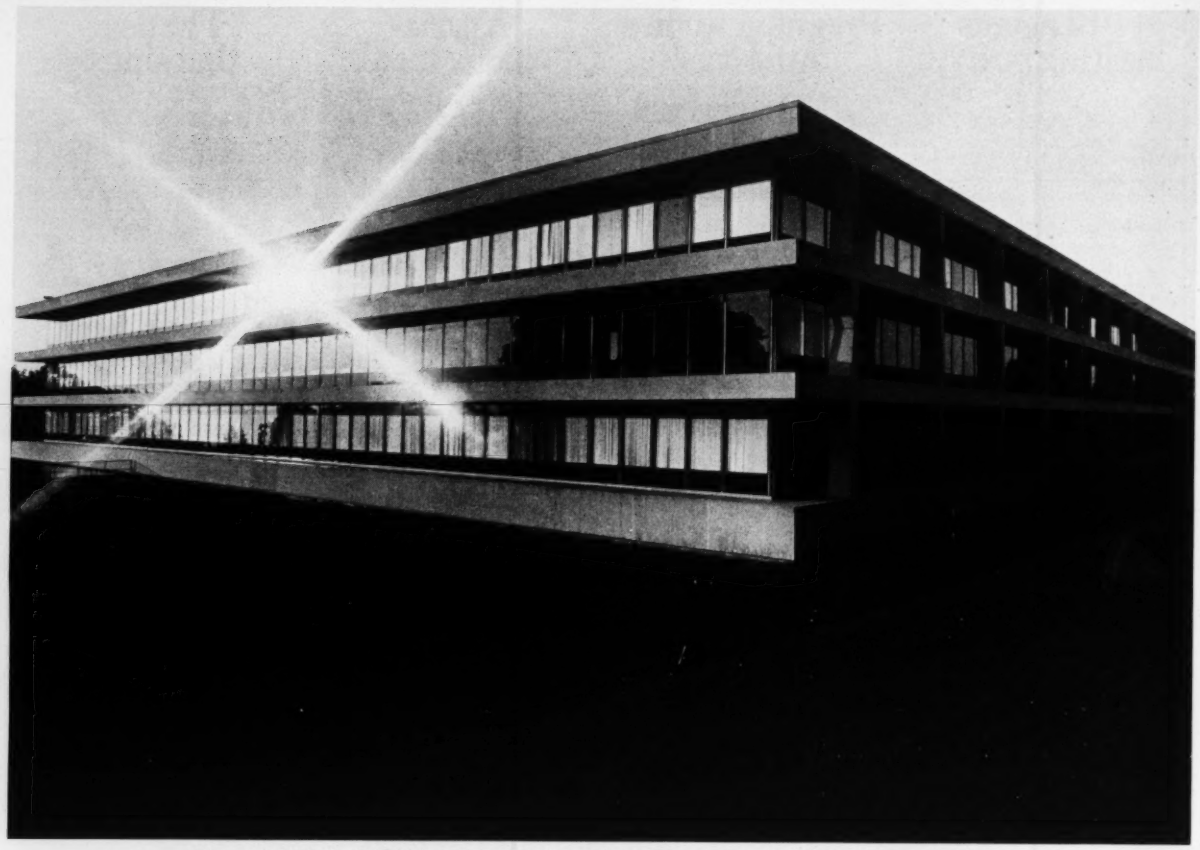

PHOTOGRAPH BY MAJE WALDO

Clean and efficient: IBM headquarters in a gleaming, modern building at Armonk, N.Y.

to fill a file cabinet two miles long. "We asked for decisional documents and we got everything from [IBM Chairman] Tom Watson's Christmas card list to his contribution list to his letters to Mrs. Kennedy," recalls one government lawyer. "We were working on the theory that everything related to everything. It took two or three months in New York just to find which documents we wanted to microfilm and take back with us to Washington."

A few weeks before the Justice Department filed its suit, a Minneapolis-based manufacturer of large computers, Control Data Corporation, had brought its own civil antitrust case against IBM. The CDC and Justice charges were quite similar. Both accused IBM of "bundling"—selling its hardware, software and services as one indivisible package. They claimed that IBM produced "fighting machines," computers that were designed not to make a profit but to drive out competitors. And they complained that IBM, under its "educational allowances" program, was virtually giving away its computers to universities, to obtain the prestige pacesetter accounts and to make sure that future users were familiar only with IBM machines.

CDC had begun investigating the possibility of antitrust action in 1965 and had submitted a lengthy brief to Justice the next year. Finally despairing of any government action, the Minneapolis firm took the plunge in December 1968. It was a very high diving board, and no one could be sure what lay on the bottom. Engaging 10 full-time and 20 part-time lawyers, augmented by a paralegal staff of 120, CDC screened about 40 million documents in IBM files across the country. It microfilmed more than a million of these and indexed between 80,000 and 100,000 in an automated information retrieval system. Only computers could handle the mind-boggling pyramids of paper generated by the antitrust action. CDC estimates that it spent $3 million on the data bank.

Swamped by the first wave of 17 million documents and soon deluged by 10 million more, the government team flailed about frantically for a life preserver. Strapped for cash, Justice was fighting a two-front war. On one side, IBM was firing a steady barrage of paper in response to government discovery requests. On the other side, IBM's own discovery team demanded a full report on all computers owned or leased by the federal government, a major customer. "Theoretically, they wanted everything from a speedometer in a car to the highest grade computer," recalls a Justice attorney. "The Navy had 50,000 computers all by itself." Since many of the government computers were used for top-secret purposes, IBM's discovery was stalled in a red tape thicket. Like a huge torpid monster, the antitrust case moved nowhere but never stopped eating.

So in early 1971 the Justice team decided to tie its case to the CDC litigation. Justice would rely on the documents that CDC selected. As lead government attorney Raymond Carlson explained to the judge: "It was not feasible, or at least it was better conservation of government money at that time, to accept the so-called fallout from the Control Data Corporation's examination of those records." As another government attorney said in private: "We decided to ride on the tail of CDC. It was a mistake. I don't think that the public interest should be subordinated to the private interest. The Justice Department should see that competition exists and not that competitors are protected. If we couldn't have done it on our own, we shouldn't have brought the case."

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A NEW GENERATION OF TOYOTA COROLLAS

Tom Barr of the Cravath firm leads the legal charge for the IBM brigade.

It turned out to be a practical as well as a philosophical blunder. CDC was happy to cooperate with the government as long as their interests coincided. But IBM gradually realized that to conquer it would have to divide. It made CDC an offer of godfather-scale generosity. CDC did not refuse.

On the Friday evening of January 12, 1973, CDC and IBM lawyers feverishly packed printouts and magnetic tapes into a truck bound for the shredder and the acid vats. In the primitive past, in the B.C. era (before cybernetics), the destruction of so much information would have required a bonfire big enough to illuminate half of Minneapolis. But the CDC data bank went up with just a whirr and a fizzle. By the wee hours of the morning, the government no longer had its automated index. And IBM could now announce its extremely generous settlement: CDC would be paid about $100 million, including $15 million of legal costs, and would buy for a ridiculously cheap $16 million the Service Bureau Corporation, an IBM subsidiary that was taking in $63 million a year in revenues. Who could blame CDC? As F. Sherwood Lewis, then a CDC attorney, says, "In which version of the Bible is it written that a private firm has to take on the burdens of the industry?" Over at the Justice Department, the champagne glass clink of settlement reverberated as a death knell.

And in the courthouse, Judge David N. Edelstein was furious. Edelstein had been supervising the case for just one year, having assigned it to himself when he became chief judge of the Southern District of New York. IBM seemed to have flouted his order forbidding the destruction of evidence. IBM said it was lawyers' "work product." More delay.

"Peanut," the IBM lead attorney called out, and, without breaking stride, the lawyer—doubtless trained at Harvard or Yale—retrieved some peanuts from the counter

Edelstein is a stickler for detail. Whatever his ultimate verdict, the case will surely be appealed, so he is keeping careful watch on the record. A less cautious eye might have been glazed over months ago, as early as the opening days of the trial, which featured one Justice attorney in the witness stand and another at the bar, reading depositions into the record in a painfully undramatic recital. Much of the testimony seems beside the point: Cravath attorney Tom Barr says he would have been happy to stipulate to "between 75 and 95 percent of all factual statements" that Justice has elicited from its witnesses. In the wood-paneled courtroom, all that appears of the judge is a shrewd, grey-haired, black-spectacled head, propped up by an arm resting on a broad desk. He could almost be sleeping, but suddenly he interjects, often with a sharp word of criticism for an inexperienced Justice lawyer. "You'd think it would be helpful at this point to suggest that these time cards be produced as evidence," he says testily. "Of all the tons of documents that have been produced, don't you have even one of these cards?"

On the first day of the trial, when the government presented its case, Edelstein observed with some irritation that "not a single thing has been said with which I'm not already familiar." Raymond Carlson was apologetic: some of his staff was "relatively young and inexperienced," he said, "appearing in this court for the first time." It's a different story on the other side of the aisle—only seasoned Cravath partners speak for IBM. The bright young lawyers hired by this high-powered firm are seen but not heard: they are kept busy feeding memos to their superiors. Some feed more than memos. Every day after the lunch recess, a young lawyer brings back a bag of Lifesavers and dumps it on the Cravath table, to keep the golden throats oiled. During the moonshot trip, a government lawyer was drinking with Tom Barr when a junior Cravath associate strolled into the saloon. "Peanuts," Barr called out, and, without breaking stride, the lawyer—doubtless trained at Harvard or Yale—retrieved some peanuts from the counter.

If necessary, people are folded, spindled and mutilated to keep the IBM legal machine purring smoothly. The computer company knows what has to be done to win an antitrust suit. Since its formation in 1914 by supersalesman Tom Watson, IBM has faced off against Justice in the antitrust arena two other times, emerging virtually unscratched. In 1936, after four years of legal bickering, the Supreme Court ruled that an IBM agreement to share the punch card and tabulating machine market with

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Remington Rand constituted a monopoly; and that by forcing customers who leased their tabulators to also buy their punch cards, the two firms restrained trade. But IBM shrugged off that straitjacket with the skill of a Houdini: it manufactured punch cards of needlessly high quality and required users of its machines to buy cards that met these inflated criteria. So 20 years after the adverse judgment, IBM still maintained its whopping 80 to 85 percent share of the tabulating machine and punch card market.

In 1952 the Justice Department made its second entrance on the stage, filing an antitrust suit in the last days of the Truman Administration. The case moved nowhere fast, and no wonder: IBM's lead attorney, Bruce Bromley of the Cravath firm, was a man with a very special skill—he could take ten days to accomplish what an average man might do in one. As he told a Stanford Law School conference in 1958: "I was born, I think, to be a procrastinator. I quickly realized in my early days at the bar that I could take the simplest antitrust case . . . and protract it for the defense almost to infinity." Infinity wasn't necessary, however; four years did the job just fine. In 1956 IBM signed a consent decree, agreeing to set up its service bureau as a subsidiary corporation and to sell as well as lease its machines. The consent decree—administered by none other than Judge Edelstein—was aimed at the electric tabulating machine market. How fortunate for IBM that this market was already fading into the background. In 1951 Remington Rand had sold the first commercial computer, and IBM came out with its own model a year later. Computers were clearly the product of the future, and magnetic media would soon make punch cards obsolete. The 1956 consent decree carefully shut the door on a recently vacated barn.

As time passes, things change: that's the first rule for antitrust lawyers. The more things change, the more they stay the same: that's the first rule for historians of antitrust cases. "Whatever someone was trying to do in 1969 is different from the situation now and different from what the situation will be when the judgment is entered," says longtime trial attorney Milton Wessel. In the meantime, the man who toppled the first domino is bemused and disappointed. "I still believe that vital competition in the computer industry is as important as in any industry I can think of," says Ramsey Clark. "But had anyone told me in 1969 that in 1976 the case wouldn't be any further along than this, I would have been shocked."●

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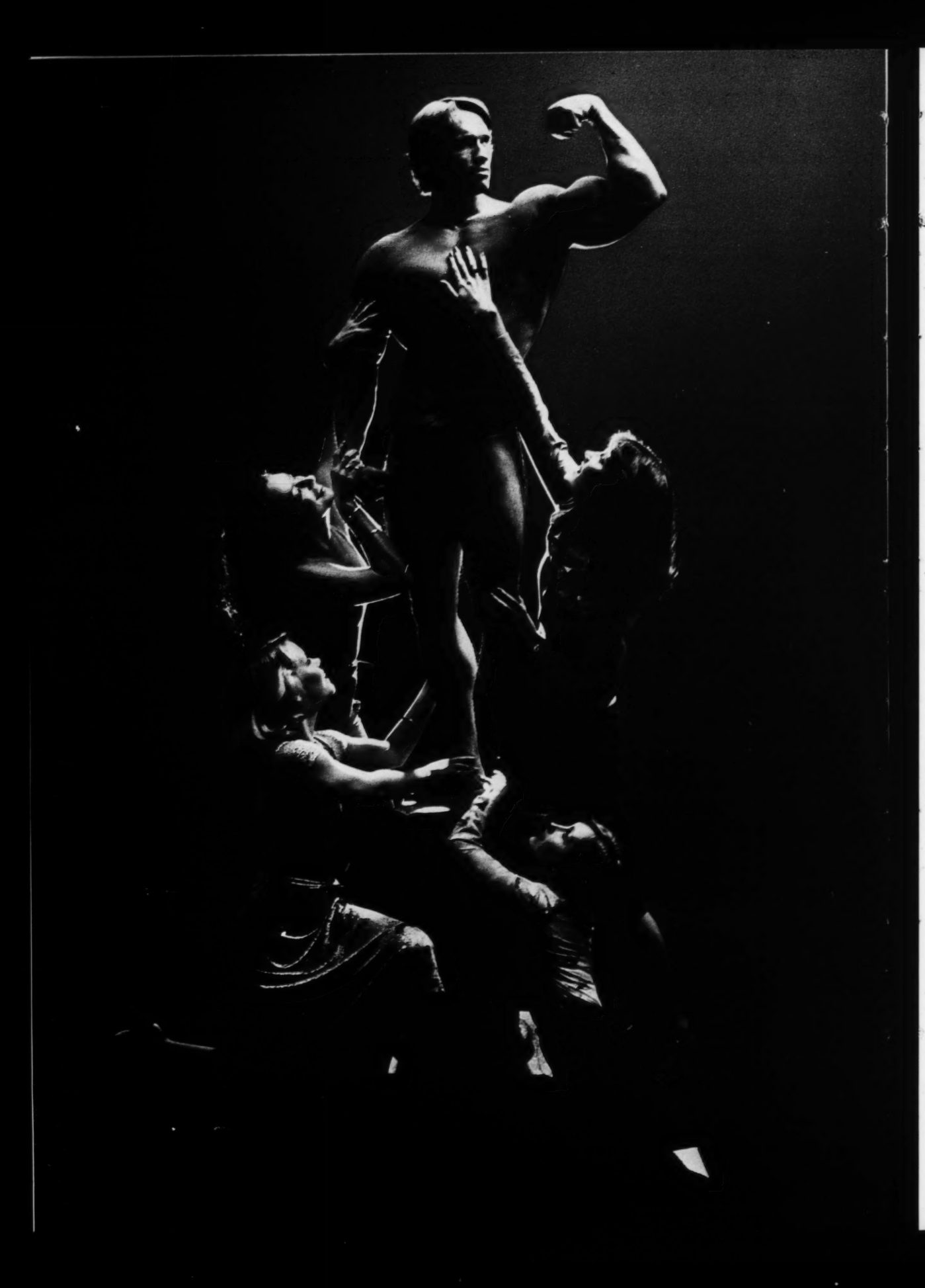

A sex symbol for the seventies?

Bodybuilder Arnold Schwarzenegger is flexing his muscles (and his star power) to transform a sport that apotheosizes maleness into big business and mass entertainment for this androgynous age

By Cliff Jahr

"I just wanted to be 'The Greatest' in something," he says, his Clark Kent jaw spreading into a grin. "And by the time I was 13, I realized I'd be successful at something more physical than mental. . . ."

The man speaking across the restaurant table, who has polished off his beef tenderloin and is starting on my ribs, is said by experts to have the world's most perfectly developed body, maybe better than anything dreamed of by Michelangelo: 6'2", 240 pounds, chest 57", waist 31", thighs 28", calves 20". Probably you've heard his name, Arnold Schwarzenegger (Shvars-en-EKK-er), or seen him doing the talk shows, because he is today's hero-model for a campaign to change America's mind about bodybuilding and accord it white-collar respectability in the sports world. It's a new-image drive, really, one that boasts noticeable print and TV support, a current movie, *Stay Hungry*, and the best-selling book *Pumping Iron*, coming out next month as a documentary film.

Until recently, it's been all uphill. Bodybuilders are not like weightlifters, who enjoy legitimate jock status and compete in the Olympics. With lifters, it's power that counts and they don't much care how their bodies look (in fact, a good paunch helps with the hoisting). The goal for a bodybuilder like Arnold, however, is not kinetic, it's aesthetic—perfecting overall muscle symmetry, definition and display of the body for competitive judging.

In the 1920s, when Americans first got a look at this kind of fancily served-up beefcake, they decided it was little more than pea-brained exhibitionism, altogether sexually suspect and a little bit creepy to boot. They wondered what innocence in the muscleman's nature would make him think he looked good that way, all ballooned up like a Clydesdale horse.

Such phobic feelings die hard, but die they will, if Arnold can get his size 12 grasp on them, because he is bodybuilding's first real promoter-movie star—the media spokesman it's never had to sell the virtues of extravagant muscle distention. Musclemen tend to be soft-spoken and shy (and short), but Arnold is an extroverted big-kidder, a crowd pleaser of the Ali, Namath, Billie Jean King variety, who knows how to wing it with Johnny Carson as well as how to flirt with the cheap seats at muscle contests, milking their cries of "Arr-NOLD! ARRR-NOLD!"

His star power could be seen in March when New York's Whitney Museum of Art held a symposium on "The Articulate Muscle: The Male Body in Art," which used the posing services of Arnold and two other men. To the amazement of suave Gotham, it drew a standing room of 2,500. When midway in the wordy proceedings a well-dressed matron was unable to sit still for one more minute, she hollered, "Where is Ar-nole *Schwarz*-negger?!" which brought Arr-NOLDS all around. This picked up the pace, and in moments there he stood, dished up on a revolving lazy Susan, amid cheers of a lustiness that usually attends home-run kings stepping up to bat. There at his feet, clicking away on her assignment for NBC's *Today* show, was photographer Candice Bergen.

And how does Arnold feel at such moments, when he's reduced to a sex symbol? "I'm in heaven," he admits, diving into my broccoli. "I feel like a king."

Born July 30, 1947, and rather sickly until the age of ten, Arnold grew up in a country village on the outskirts of Graz, Austria, the son of a hobby weightlifter. He developed into a natural athlete, good at soccer, curling, skiing and boxing, but he found he didn't have the right reflexes to excell in some individual sports and the team sports didn't offer enough ego juice. So at 15, as an adjunct to soccer, he tried weightlifting. His 160-pound frame told him, "Kid, this is it," and with Teutonic zeal he bore down on a training program that in three years won him both the Austrian junior Olympic weightlifting championship and the junior Mr. Europe title. Moving to Munich, where he ran a gym and took up friendly bar brawling, he soon knocked off every other title in sight. This caught the eye of a promoter, Joe Weider, who, in exchange for endorsements of his training equipment and magic potions, brought Arnold to the world mecca for bodybuilders, Gold's Gym in Venice, California. From there, since 1969, "The Austrian Oak" has never lost a competition. He's been Mr. Universe, Mr. World and Mr. Olympia, this latter title a kind of superbowl of bodybuilding, his for the last six years.

Contenders generally reach their peak around 40, but Arnold has just re-

tired at 29. In his brief career, he's been curried like a thoroughbred and tutored by experts in how to go after the big-money vitamins, exercise equipment, health magazine, spa and contest business. So it was no surprise that last month's Mr. Olympia contest in Columbus, Ohio, which Arnold himself produced, was a 5,000-seat sellout at a $20 top. It was as if a retiring Miss America had turned around and hired the band, the hall and Bert Parks. "My mind is a sponge," he says, "so I hung around the right people here and got smarter by looking and listening."

Among others he has learned from, Arnold's special hero is Reg Park, star of spaghetti Hercules movies of the early sixties and now a successful businessman in South Africa (a hotbed for bodybuilding, along with the Middle East, Japan, Australia and the West Indies). "I was fascinated by Reg and his empire," says Arnold. "He has this body and then he has this other dimension to go—business, movies, a family and all that. After the first visit with him, I was instantly 'hungry.' Now I wish I had three different bodies because I'd send them three different directions—there are so many *opportunities*."

Did Arnold learn anything by the example of Steve Reeves, the beefcake movie actor of the fifties? "Steve without his body is nothing," says Arnold. "Not to knock him, it's just that he has a beautiful face and a beautiful body and he hit at the right time, and that's it. He has nothing else going."

As with movie heroes, there are fashions in bodybuilding, and these days the massive look is in. Reeves had the more streamlined style of his day, smoother, with less delineation, less "cut" to the muscles. Still in shape at 51 and married to a countess, he now horse ranches in California.

Everyone wonders what happens to old bodybuilders. It's mainly a process of losing skin tone, especially in the midsection, not of muscles turning to fat, which is physiologically impossible. Muscles that are unused get soft and smaller. If a bodybuilder were to quit training—and quit the huge food intake it requires—in time he'd wind up with a physique much like that of other inactive men. Although he'd retain few traces of his past splendor, contrary to myth, he wouldn't necessarily be a sagging hulk of blubber, a "victim," so to speak, of bodybuilding.

In all the world, Arnold is one of only two professional builders who manage to make a living at it, mainly through endorsements, personal appearances and a mail-order business—selling training tips. The other full-time builder is this year's Mr. Olympia, Arnold's close friend Franco Columbu, "The Sardinian Colossus." Arnold makes better than $200,000 a year and is paying off the mortgage on a $250,000 apartment building in which he keeps a bachelor duplex ten minutes from Gold's Gym.

When he's in training, which is usually around eight months of the year, Arnold takes in 6,000 calories a day, more than two mere men eat, usually in four meals, with the emphasis on meat protein and vegetables. "But I don't absolutely avoid anything," he says, "except maybe sugar. I do have dessert sometimes. *Good* cheesecake. *Good* carrotcake."

Training also means twice-daily workouts every day but Sunday. Like all top builders, he has a basic program: Mondays, Wednesdays and Fridays he concentrates on arms, thighs, waist and calves. The other days it's chest, back, shoulders and again the waist and calves. (Calves used to be his weak point.) The tonnage can be staggering. For example, he does bench presses (on the back, pushing the barbell away from the chest), 100 of them in groups of ten, carrying a load up to 450 pounds. By day's end, he's hoisted 40 tons.

When a bodybuilder displays his fierce muscularity, fanning his back like a cobra, turning red to pop his veins and pump his abs, how is this anything but an invitation for a woman to take charge?

There is pain at first when the muscle's capacity is being extended, but moments later comes the reward, "the pump," when the builder flexes the muscle in the mirror and can watch as oxygenated blood actually rushes in to enlarge it.

To see this firsthand, I joined Arnold recently at his workout in a Manhattan gym where star bodybuilders are welcome free-of-charge and don't seem to mind skinny reporters tagging along. When The Oak enters the weight room, it's like Streisand coming into the Polo Lounge. Nobody cool stares at The Star, but everyone cops a peek or two, especially at the pumps. Suddenly, workouts get peppier and more deliberate. The weight of barbells is added on to. Pump an extra 20 today. Split those pecs. Bomb those lats. More. More! *Arrughh!*

Arnold knows the effect his presence is having and keeps an amused eye on it. Spotting a shirker, he ambles over to me, closes my notebook and says, "Come, you work on your chest." When The Oak pumps iron, everybody pumps.

On the afternoon of our workout, he was photographed in the raw by Francesco Scavullo for a *Cosmopolitan* centerfold. After a considerable wait for underwear marks to disappear, Arnold was shot lathering away in a shower with some well-placed bubbles. "He was my first weightlifter," chuckled the photographer, famous for shooting *Vogue* covers, "but he was not as shy as Burt Reynolds." A few years ago, Reynolds sued Scavullo for $3 million when someone without permission reproduced the famous bearskin rug centerfold of him and sold it for wall posters. Reynolds lost the case, but Arnold's advisers had a similar seizure of modesty, advising him to kill the shower pictures. Arnold did so, and now his lawyers are trying to get the negatives burned. Says Scavullo, philosophical about it, "Well, when he left the studio, he was certainly *clean*."

And what kind of woman turns on a well-scrubbed sex symbol? "She has to be attractive," says Arnold. "The circles where I go around, the lady with me has to look good, too. And I definitely want to have one that's brighter than I. Then I can learn. (I outgrow everybody fast.) I like an aggressive woman who can talk and is not always in the background. I can pinpoint her exactly: Candice Bergen."

Are they dating? "No, but she's the ideal. Actually, last year I broke up with a girlfriend I've had since 1969. When I said I was through with competition after the last Mr. Olympia, she thought my career in bodybuilding was over and that I would settle down and get married. Then the movie career started and everything went crazy and she split. Since then, I haven't gone steady, which is much better, y'know. . . ."

Added to the attentions he now receives from restless ladies, Arnold receives plenty of bonus perks. The Mercedes 450SE he drives (metallic silver with black fur seats) was a gift last Christmas from health-club promoters in Vienna. "I get presents from people I don't even know," he says. "This watch I'm wearing was mailed to me by a guy I

Cliff Jahr is a free-lance writer who lives in New York. He last wrote for NEW TIMES *about another sex symbol, Patti Smith.*

PHOTOGRAPH BY GEORGE BUTLER/PUMPING IRON

PHOTOGRAPH BY MICHAEL ABRAMSON/ BLACK STAR

PHOTOGRAPH BY JIM ANDERSON

A celebration of hormones: Arnold's muscles, filled with oxygenated blood at left, fascinate the likes of Candice Bergen (top right). In turn, Candice is Schwarzenegger's "ideal." Bottom right, Arnold and our writer compare biceps.

never heard of. So many different things they send me: alarm clocks, checks, tape recorders, statues, bed sheets. . . ."

Bodybuilding's promoters are quick to tell you it is America's fastest-growing sport. The Mr. America contest has tripled its audience since 1970 and now draws thousands to Madison Square Garden. Promoter Joe Weider's multi-line business has grown 1,000 percent in five years to gross over $40 million annually. Even ABC's *Wide World of Sports* has taken to covering major lifting contests. In the unisex seventies, what accounts for this growing interest in a sport that apotheosizes maleness?

The easy answer is that bodybuilding is riding on our national obsession with staying fit, young and alive, there being about 5,000 physical fitness centers now dotting the map. Or the nostalgia craze that has brought tongue-in-cheek popularity to stark images of elemental maleness—the street punk, the truck driver, the hard hat and now the weightlifter.

But the more interesting answers are rooted in the sexual revolution. Take, for example, our growing unconcern about nudity, especially male nudity. A decade ago, what American audience could have watched—without squirming in their seats or beating it to the exits—an all-greased-up man, posing on a platform, bathed in pink amber spotlights, wearing no more than one ounce of red Lycra spandex? Nowadays, even if the penis is clearly outlined in the posing briefs, audiences don't mind. *Mind!* It's what they've plunked down good money for—rampant maleness, reaffirmation of traditional ideas about virility for the gents and a bit of titillation for the ladies. And below the conscious level, the pumping and posturing the man's doing up there is a masturbation metaphor, a kind of surrogate release.

Paradoxically, of the 434 muscles in the body, those of the phallus are sin-

gularly unbuildable (as every teenage boy is sad to learn). Otherwise, imagine to what epic proportions iron-pumpers would aspire. Or most any man, for that matter. (After showering with The Austrian Oak, one sees that in his case further development along that line is unnecessary.) Maybe promoters and fans aren't aware of it and don't talk about it, but the phallus worship and penis envy implicit in bodybuilding is inescapable.

This comes partly from the fact that women can't get muscles to pump. Science doesn't know why, really, except that it's tied to hormones, as witness Dr. Renee Richards, the transsexual tennis player, who is experiencing a loss of muscularity (though maybe not enough of a loss to suit some tennis officials).

As the only uniquely male sport, bodybuilding celebrates hormones. While this, along with the way it panders to gender stereotypes, runs counter to the women's movement (that is, the people's movement), bodybuilding is right on the barricades of the sexual revolution. It offers an outlet both for feminists and women who see men in the head-of-house role to do a bit of light-hearted table turning. Like a *Cosmopolitan* centerfold, bodybuilding's new public posture cashes in on the fun, inviting women to reverse roles and lash their fantasies to the beefy and pliant sex objects. Indeed, there's unconscious candor in the invitation.

Maybe there's no under-the-bed research to prove it, but if you talk with enough bodybuilders, you conclude that most prefer to be sexual pussycats, sweetly submissive objects of love. And who hasn't guessed it? When he displays his fierce muscularity, fanning his back like a cobra, turning red to pop his veins and pump his abs, how is this anything but an invitation to be aggressed upon? The more take-charge that a muscleman's woman is, the better. And judging by their stage-door groupies, the message is getting around.

Although musclemen are in the business of glorifying the male shape, the claims that most are homosexual is overstated, particularly at the competition levels, where it probably runs a normal 7 to 10 percent. Never-ending questions from reporters about it draw yawns. "I know for a fact there's not one gay guy working at Gold's," says Arnold, "but so what? When it comes to sex, I don't give a shit what anyone's trip is. Two of the last five Mr. America's were gay. Bodybuilders are more into sex than the average guy because they're into the body trip. Also they have less problems. They take life easier. Like last year, an actress girlfriend of mine made an incredible birthday party for me—500 people up at Jack Nicholson's house—and the Hollywood crowd was there, all standing around watching: What is Warren Beatty wearing? What is he doing now? Can he do the hustle? It was the bodybuilders—not the stars—who made the party take off, all dancing and carrying on. Most of them are good dancers, too. I'm the worst. See, I have a good time sitting at a desk thinking of how to make my next move. But, y'know, the more your mind is complex, the less you can focus on sex. Many times, while I was getting laid, in my head I was doing a business deal."

However free-spirited its practitioners, bodybuilding still has a ghetto address in the sports world, mainly because its contests are so static. It's the only "sport" in which competitors don't "do" anything beyond displaying the results of sweaty preparations made elsewhere and being judged on a bewildering scale of aesthetics. Sports fans can understand touchdowns and home runs, but *this?*

A decade ago, what American audience could have watched without squirming an all-greased-up man, posing on a platform, bathed in pink amber spotlights, wearing no more than one ounce of red Lycra spandex?

Well, judges look at three things: (a) overall proportion, where the world's best chest can't make up for skinny legs; (b) the mass and contoured "cut" of muscles; and (c) how manfully they are posed in a 90-second routine. Judging of (a) and (b) is completed in the afternoon under plain bright lights. Fans view only (c), the posing competition, held at night under stage lights, which gives it something of a beauty contest feeling. Aficionados say learning what to look for is like anything else: you hang around, you learn.

Bodybuilding's reputation as a pastime for blue-collar nitwits is changing, too. These days, the pursuit of self-realization, just by itself, can give validation to almost any endeavor, be it hang gliding, gravestone rubbing or Sino-American ping pong. It's not so much what luck has given you that counts as how unsparingly you go after something, *anything*, and get a groove on it.

There even are the makings of an egghead cell within bodybuilding, a small number of professionals, artists and academics in the hobby class. To talk with some is to invite articulate sales jobs invoking everything, if you're not careful, from examinations of Hellenic classicism to Hegelian dialectics. (A few spectators of the sport, it's true, are traditional snobs about class and intellect who come only to hoot at muscle competitions as low camp.)

Not surprisingly, it was two young men with advantages of birth and education who first took it upon themselves to state the case for bodybuilding. In November 1974, novelist and hobby weightlifter Charles Gaines and photographer George Butler came out with *Pumping Iron*, a frank and supportive closeup. It proved so readable and so well-timed that it's sold 93,000 copies and is still in print:

> Learning how to look at bodybuilding is probably no more than learning how to be objective and unembarrassed about the body, enough so that you could look at that back pose of Leon's without wondering about what makes him do it, or how it smells up there, or what his sex life is like—and just go along with the visual thrill of seeing something brilliant and uniquely expressive done with the human form.

Then in June, the movie *Stay Hungry* began opening around the country, a romantic farce co-starring Arnold and directed by Bob Rafelson (*Five Easy Pieces*). As for Arnold's acting, Burt Reynolds can relax a minute because The Oak is tight-edited in a curiously non-macho role. Part of the story turns on the mocking bodybuilder's face, and a bit of the fun is at Arnold's expense, when he's made to pump iron wearing a Batman outfit in one scene and, in another, stuff his beerbarrel chest into a white satin shirt with rhinestones.

Somebody's ambivalence about bodybuilding is showing: *Stay Hungry* is *not* the way to introduce the next Steve Reeves or Bruce Lee. Arnold needs two-fisted, action-packed thrillers in which his clothes get torn off a lot. "It doesn't matter how awful I looked in that shirt," he says, nicking my cherry cheesecake, "because later on they see me *without*

the clothes."

His second film, a fine documentary of *Pumping Iron*, promises to wipe out the sins of the first. It has the potential to do for bodybuilding what *Endless Summer* did for surfboarding with its "crossover audience." In the way the musical *Hair* attracted millions of middle-class blondined matrons because it offered a safe look at "dirty" hippies, *Pumping Iron* may draw people curious about beefcake contests who would not dare venture into its "seamy" world. It's a touching movie about winning and losing, obsession and fragility of the spirit. Most of all, it exposes the tricks of that old hustler, The Austrian Oak, as he goes about the business of out-planning, out-charming and out-foxing his challengers at the contests.

We learn something of the subtleties of competing, as in the "psyching-out" mind game: "You sure are in fine shape, Lou, real fine," Arnold might say to another contender on the morning of the big day. "You finally brought those delts around, eh? Real nice. Arms still need a little work . . . but you're looking good, Lou."

Undermining Lou's confidence can foul up his posing that night and create the winner's edge. During his brief moment of truth in the amber spotlight, if he's dimly wondering about those arms Arnold slandered (Gee, do they need work?), it might make the win-lose difference. Contenders all try to psych out their competition, even right on stage if they can, but none so slyly and effectively as Arnold. By assuming the air of the reigning contender and milking his Arrr-NOLD!'s, The Austrian Oak psyched-out The Sardinian Colossus in the 1975 Mr. Olympia "pose-off," thereby nudging his close pal, Franco, back into the runner-up spot. You see it all in the film.

Even if you'd rather be mowed down by a barbell than have to watch a muscle contest, you'd enjoy *Pumping Iron*. Playing himself, Arnold is unforgettable.

As we get up to leave the restaurant, all eyes follow The Oak. Is it star power they see? Would they like to see him in Steve Reeves' old tunic dealing death to Godzilla and the Blob? Three teen angels sitting near the door, beaming and squaring back their shoulders as he passes, would.

In front of his hotel, Arnold leans into the taxi to wish me luck writing the article but to hurry up and get busy on my chest. Then I'm away, into the night, in search of something to eat. Stay hungry, indeed. ●

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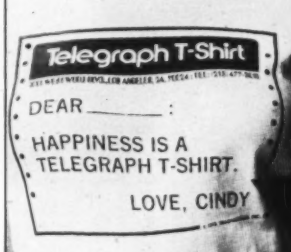

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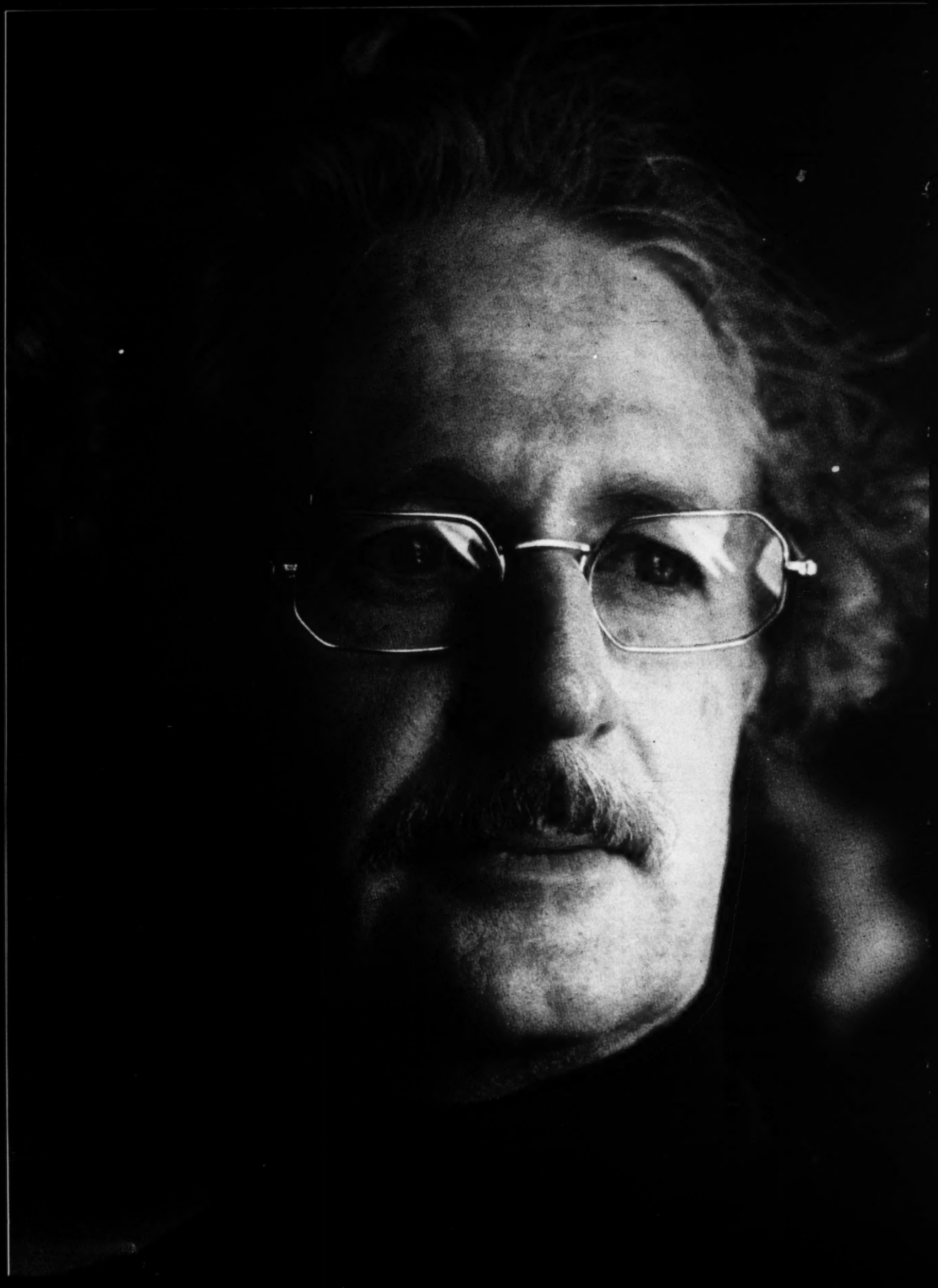

MOSE ALLISON

HE DON'T WORRY 'BOUT A THING ('CAUSE EVERYTHING IS GOING TO BE ALRIGHT)

For the past 28 years Mose has been the best known unknown in jazz. Now, at 48, he's on the verge of a commercial breakthrough

By Robert Ward

Mose Allison is bent over the piano, his electric grey hair combed straight back and standing up like a bunch of glowing wires, his grey mustache working up and down over his bottom lip; from deep in his throat there is a joyful (but cool), primitive, rhythmical growl, a kind of metabolic funk.

"Uhuhuhuhuhuhuhuhuhuh!"

He is bending over the keys and his hands are drumming on the ivories in a percussive staccato frenzy. The music is swirling and churning, circular, chord clusters and single notes played brilliantly with a deep passion that sometimes borders on melodrama but then falls back into a cool fifties bebop reminiscent of Thelonious Monk. Now his head is starting to sweat, and the chant gets a little deeper, comes from someplace down inside of him that he knows is still there, that dark place one can only know if one is out there, on the edge, working in a club, going with the music, the hands drumming on the keys, and then suddenly lifting off and tinkling down the scale, delicately as the imprint of a starfish found in the sand. And beside him is burly, blond Jack Hannah, out of Kansas City, working away on the bass, and beside Jack is the dapper Alan Dawson, dropping the brushes lightly on the cymbals, working out his own signature, and Mose is straining to keep his own pace and at the same time to keep it together with the other two members of the trio. Now they are in perfect sync, working their way through Mose's *Back Country Suite*, and Allison smiles slightly and nods in time, the sweat coming faster now, and it feels good; he is working toward it, toward becoming the music itself, so there are no hands, hair, mustache, piano, bass, drums . . . only the Sound, swirling and beautiful, full of that refined, funky passion he lives for. And here at the Jazz Workshop in Boston, the youthful audience digs it all. As Allison's hands come down on that last rich tonic chord, the full house of college students, street freaks and Berklee School of Music people gives him a good solid round of applause, and in the back a British girl yells out: "Mose. . . . Too much! The Wild Man is on The Loose!"

Without so much as raising a brow, Mose Allison is off into one of his vocals with that cool, precise, ironic phrasing that has been copied, borrowed and stolen countless times over the years. The lyrics are witty, ironic, and ring of cosmic bebop.

Your molecular structure
Is really something fine
A first rate example of
Function of design
Those cosmic undulations are
steady coming through
Your molecular structure, baby,
Me and you!
"Your Molecular Structure"
— Mose Allison *

The crowd is laughing, and sitting beside me a Berklee student is scratching his curly head and saying, "Who is this guy? I never even heard of him until Bonnie Raitt had him in a concert. I can't believe I never heard of him. Whew!"

Which is par for the course for Mose Allison. For the past 28 years he has been the best known unknown in jazz. Disparate musicians have listened to Mose, been influenced by him and recorded his songs: Leon Russell (who recorded Mose's "I'm Smashed"), Bonnie Raitt ("Everybody's Cryin' Mercy"), Tom Waits, John Mayall (who is a very thin copy of Allison), The Who ("Young Man"), Johnny Rivers and the Stones (who insisted Mose tour with them in the early part of their career). Among jazz buffs and blues aficionados, Allison has become a cult figure, and he can fill the good clubs like the Jazz Workshop in Boston and The Bottom Line in New York City. Yet his own albums have never sold particularly well, though an early one, *Mose Allison Sings/The Seventh Son* (Prestige, now re-released by Fantasy Records out of Berkeley), is a highly prized collectors item.

For 28 years, Allison has survived changing public tastes, indifferent record companies and his own indifference to (and, in fact, suspicion of) becoming "marketable"; now, at the age of 48, he finds himself cherished by the Rock Establishment and once again on the brink of a very belated commercial breakthrough. Last year he did a 15-concert

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series with Bonnie Raitt that ended in a triumphant show at the prestigious Wolf Trap festival outside of Washington, D.C. The performance was taped for PBS, and Allison became known to a national audience. Shortly afterward, Tom Waits and Allison shared the limelight on the new *Soundstage* concert on PBS, and the response was heartening. Still, as I found out when I visited with Allison in Boston recently, Mose is very much his own man. He is a survivor of the fifties, a cool, rueful ironist on the one hand, and a full-blooded Romantic on the other. Like his music, Allison is playful, witty, complex, sophisticated and deceptively strong.

Mose Allison is sitting on the bed in his room at the Lenox Hotel in Boston. He is wearing grey shorts, a blue sweatshirt and striped Adidas track shoes. As I watch him lacing his shoes, I notice his long, perfectly aquiline nose and his small, intense blue eyes. He looks very much like a souped-up seventies version of William Faulkner. I mention the similarity to him, and he smiles.

"Yeah, man," he says in his soft Southern voice. "They've laid that on me before. The fact is, I used to see Faulkner hanging around Oxford when I was a student at Ole Miss. I remember one night a friend of mine and I—a cat who used to play drums in one of my first trios—we were sitting outside of this club, man, and Faulkner comes strolling by. He has on this pair of overalls, man, a white shirt with very long lapels, a huge wide tie with flowers on it and a black mortician's jacket that hangs to the ground. My friend looks at him and says, 'That's the most distinguished looking bum I've ever seen.' I knew it was Faulkner, but I didn't bother to tell Leroy. It wouldn't have mattered to him at all."

Mose laughs and finishes lacing up his shoes. Then he's off to the bathroom, where he keeps his supply of vitamins. There is B2, B6, a huge jar of C and another large jar of pantothenic acid. He takes out a couple of pills, swallows them, then wraps a couple more in a handkerchief. Back in the bedroom, he pours out a handful of sunflower seeds.

"You're really into this health-food stuff?" I ask.

"Yeah, man. You bet. Listen, I been playing a long time. And I been through all the scenes. I been through the couple of drinks before dinner, the wine at dinner, the brandy after dinner scene, and I've also done the drug scene, back in the fifties when all the musicians were into it, and when I hit my late thirties my body started sending out signals, man. Prostate trouble and stomach problems and all that kind of stuff, and I knew I was going to have to make the gigs straight or I was going to have to not make them at all."

I smile and shake my head, and Mose looks quizzical.

"It's just that the public likes to think of you as a typical jazz musician—you know, the Man with the Golden Arm and all that."

Allison nods.

"Yeah, man," he says. "I know what they want. That stuff is put out by corporations, I think, man, in order to get artists to kill themselves. They have two methods, man. One is that myth—the myth of the self-destructive artist, which many a cat has already fallen for . . . whew, I can think of so many in my generation who are already gone. And the other is success. Whenever I think of success, I like to remember what Charles Ives said about it. They asked him if he wasn't bitter for not receiving rewards and recognition most of his life, and he said, 'No. Awards are merely the badges of mediocrity.' "

"When I think of success," Mose says, "I like to remember what Charles Ives said when asked if he was bitter about not receiving awards. 'No,' he said. 'Awards are merely badges of mediocrity' "

Mose ties up his sunflower seeds and we go out the door, headed for the Hertz Rent-A-Car agency.

How much truth can a woman stand
Looking at her teen-aged daughter
Just one more lamb for the slaughter
Fifteen years with a lying man
How much truth can a woman stand?
"How Much Truth"
—Mose Allison *

We are driving on the freeway toward Brandeis University's quarter-mile track. The 48-year-old Allison runs two to four miles each day. Now tanned and healthy, he handles the steering wheel and reminisces about his Mississippi past:

"I started out playing piano when I was a kid. My daddy was a farmer and ran a hardware store, but what he really liked to do was play barrelhouse piano—you know, *boogie-woogie*. Man, I remember going out on the farm and pitching hay and throwing around those cotton sacks. I learned the *truth* about physical labor early."

He smiles and shakes his head.

"Later I went to Ole Miss and studied English. Man, I loved to read and still do. I always liked to keep at least two books going. Reading Paul Theroux's *Saint Jack* and *The Great Railway Bazaar* now—really good stuff. I love Faulkner and Flannery O'Connor, man. You ever read that O'Connor story called 'The Artificial Nigger' or that one called 'A Good Man Is Hard To Find'? Fantastic. She has such a flow to her work. Such a rhythm. I think that's more important than anything else. Fluidity. Céline may be the greatest writer of them all, and he had it—real fluidity. I remember a line he said once, when they were asking him about the translations of his work. He said the translators all wanted to take his street talk and have it make sense. The interviewer asked him how he felt about that, and Céline said, 'Common sense is the death of rhythm.' I know exactly how he felt. He's a good case of what we were talking about before, too. A man who was never really appreciated in his own time, but now there has been a tremendous amount of critical work written about him. Everybody was influenced by him. Terry Southern, and Burroughs, and Philip Roth, and Hunter Thompson . . . just everybody."

We pull in at Brandeis and park the car. Mose gets out and locks the door, and we start down a grassy knoll toward the track.

"Don't you feel any bitterness?" I ask. "I mean, so many mediocre people are getting famous and rich, so many of them have used your style of singing, and yet. . . ."

Allison shakes his head.

"The truth is that I never knew if I wanted a hit or not," he says. "I mean that. I was on Prestige awhile . . . that was right after I came from the South to New York. I had been working with Stan Getz, and Zoot Sims, and Al Cohn—playing some dates. Then I was in Getz's road band—that was a wild time. Anyway, I finally got some records done for Prestige. There was practically no money in it. I was payed an advance of $250 a record, a 3 percent royalty, and they had an accounting technique that made it impossible to know what was

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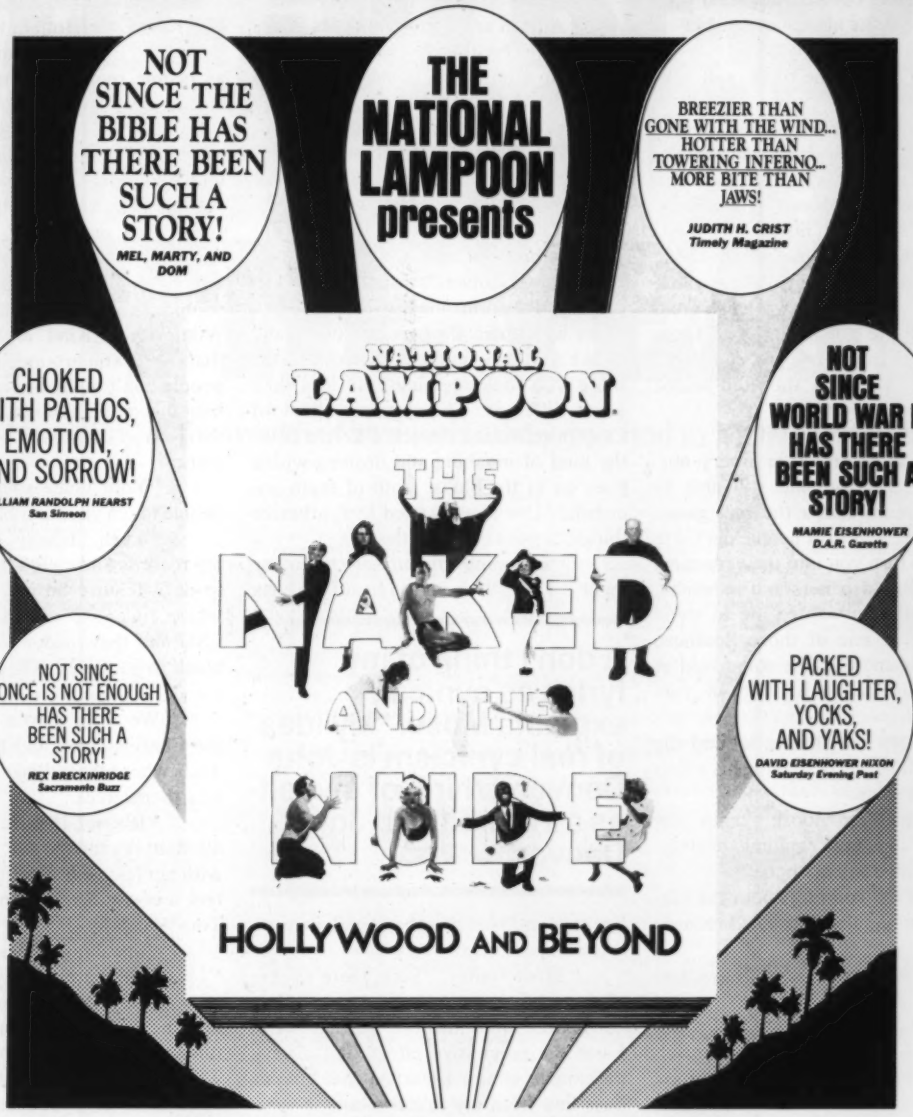
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sold, so you never even got the 3 percent. Then around '61 I started my trio and got with Columbia, man, but that didn't work out either. They said they were going to make me a star. . . ."

He stops, ties his shoe and we start jogging around the track, still talking.

"There was this guy there named Teo Macero. A big avant-garde producer and writer—did *Sketches of Spain* and several of the other Miles Davis albums. I thought he'd be good, but he only wanted to turn me into a commercial vehicle so he could finance his own avant-garde records. One year he said he had a great idea for me. He got a bunch of Gene Autry records, man, and he said that I should sing 'Rudolph the Red-Nosed Reindeer' and I'd be a hit."

"You're kidding."

Mose is breathing in a very normal manner, relaxed and still able to talk. "No, man, that's the ball game. You see, there's always people out there who want to turn you into the very thing you hated. Bloodsuckers and parasites. Last year Atlantic wanted me to stand out in front of one of those Southern boogie bands and become some kind of rock star. Can you dig that? I'm 48 years old, man."

We keep on running around the track, and Mose starts shaking his wrists loosely at his sides.

"Keeps 'em loose, takes the kinks out," he says, smiling slightly. "God, it's a nice day out here."

"How do you feel about the current scene in popular music?" I manage to blurt out.

Allison doesn't seem anywhere near tiring.

"Well," he says, "most of it just seems like a corporate ripoff. I mean, people were supposed to be getting 'free' playing rock and roll. But most of it now sounds like fascist military music to me. I mean that. You turn on *Rock Concert* and listen to that stuff, man. It's fascistic. . . . The bass player has one of those Fender basses, and he's doing this same figure over and over, and the audience is locked into it, and the guy out in front is killing a chicken and screaming. I mean, man, it's the most sad and predictable stuff in the world. There is absolutely no freedom of expression to ninetenths of it, and yet the companies are all selling 'freedom.' Of course, there are some good people. Bonnie Raitt has been wonderful to me."

I am having trouble hearing because we've gone a mile and three-quarters and the blood is rushing in my ears.

"Got to sit down, Mose," I say.

Allison smiles and turns around.

"In my ambidextrous fanaticism, I'll go four the other way," he says.

Allison and I are taking his after-breakfast constitutional. (Mose also takes an after-lunch constitutional, an after-dinner constitutional and a late evening stroll, during which he slips himself a few thousand more milligrams of vitamin C.) Mose is talking about his music.

"Right now, I'd say the most important thing for any musician to do is keep his ears open. I like to think I'm playing a 'world music'—that is, the blues with their 4/4 beat are not really unlike Eastern music. I think that the more you look at things the less they seem different. The droning effect of Eastern music isn't much different from the kind of moaning and droning which goes on in the blues. Both of them are circular. I've always tried to synthesize things, to utilize similarities."

"Listening to your solo the other night," I say, "I thought I heard the bass line that sounded like the old silent movie accompaniment."

"I don't think of my lyrics as cynical," explains Mose. "My idea of real cynicism is John Denver. I think of myself as an antidote to John Denver"

Mose smiles. "Sure, there's some of that in there too. I want to get different textures into music . . . that's why I use the percussive effect. It's a very passionate effect. I learned that kind of bass line from my father's boogie-woogie."

"But your lyrics sometimes seem dark . . . and more blues oriented than your music."

Allison shakes his head. "Not really. Again, it's a matter of fluidity. The voice and the piano are all attempts to be fluid, to be exact. To strike the exact pitch. It's easier to get it in playing than in voice. There are more variables with the voice. As far as my lyrics go, I don't think of them as dark. Certainly not cynical. My idea of real cynicism is John Denver. I think of myself as the antidote to John Denver. Because his lyrics are sheer propaganda. When a songwriter pumps people full of things they really don't feel, then that's cynicism. Sentimental bullshit. That's why I started listening to the blues in the first place. It told the truth about things."

"Who influenced you?"

"Bukka White, Louis Armstrong, Nat King Cole. Both of the last two were influences in the beginning. Perhaps not as people remember them. Louis Armstrong came back later and became a sensation, but in the beginning I learned a lot about phrasing from him. The same with Nat King Cole. I liked him when he had his trio, but not when he became a super slick pop singer. But the biggest influence on me was a black cat named Percy Mayfield. He was a really philosophical songwriter. He wrote 'If You Would Be So Kind' and other tunes like that. He is still around, still working, but people don't really appreciate him. I dug him the most, though, because he has that sense of humor and irony in his work."

"Your voice sounds black. Have people taken you for a black man?"

"Yeah. *Ebony* magazine heard my records and called me up and wanted to do a feature on me. They asked me where I went to school and I told them LSU and they said, 'Were you the first black to go there?' They got so excited I hated to tell them I was white."

We walk across the archway to the Charles River and look at the green fields where the college students are tanning themselves.

"It's not all bad, you know. Bonnie Raitt is a terrific girl. I did 15 concerts with her last year. She really gave my career a boost. She's a good person. I like Tom Waits, too."

"Speaking of Tom Waits," I say, "I was with him recently and he suggested that one of the reasons you're not better known is that you tend to repeat tunes—like 'I Don't Worry 'Bout A Thing' and 'The Seventh Son.' He wanted to know why you didn't write more."

Allison smiles again as if he's enjoying a private joke.

"Well, on the first score, I don't believe that just because you've done a tune you shouldn't do it again. You never do a tune the same way, and you always want to get it right—for its own sake—during each particular performance. So really, each time it's like a different tune. And as far as writing goes, I only write if I have something important to say about a particular area of concern. I get a million tag lines and phrases in my head, but I don't turn them into songs just because they're there. I only write a song if I feel a *need* to say something. There's too much junk glutting the market as it is. As it happens, on my new album, which is due out

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Staying power: Mose jogs at least two miles every day, plays two sets each night.

in September, I've got four new songs. And I've been thinking about a few things recently, things which I won't talk about but are important to me. So I'll probably write songs again. But only if they really say what I want them to."

"That's not very professional," I say, kidding.

Allison smiles.

"No, it's not. There's a lot of the amateur status in my music. I've worked to keep it that way."

You're sitting there yakin'
right in my face
I guess I'm gonna have to put you
in your place. . . .
Well if talk was criminal
you'd lead a life of crime
Or if silence was golden
you couldn't raise a dime
'Cause your mind's on vacation
And your mouth's working
overtime.
"Your Mind's on Vacation"
—Mose Allison*

It's the Jazz Workshop on a Saturday night. Mose Allison is singing, his cool, refined, passionate voice cutting through the hot air of the low-ceilinged room. Unlike many aging performers, Allison has not become a parody of his youthful self. If anything, his singing is stronger than it used to be. Though Allison himself modestly attributes this new strength to "moving out of New York and getting my sinuses back," it's more likely that Mose has consciously been working at expanding his range, pushing himself to the limits. What's more, his claim that "the more you sing a song, the better you get to know it," stands up under the scrutiny of performance. For ten years, I have heard him do his standards—"You Are My Sunshine," "I Don't Worry 'Bout A Thing" "Seventh Son," "Parchman Farm," etc.—and I have come to hear them the way Mose talks about them. Not as "new and novel" but as "sound." One sits at a Mose Allison performance and hears things differently than one does at a pop performance. Though the words to the tunes are the same, Mose himself is not. He'll accent different words, he'll put in subtle and sophisticated changes in the piano breaks and he'll hold notes he didn't hold last time around. On my last night in Boston, I looked out over the crowd of young people, some of whom were hearing Allison for the first time. They were laughing at his lines the way I laughed when I first heard them. Allison's lyrics are literate, funky and as witty in their own down-home way as anything Cole Porter ever managed. And it was a rare pleasure to see the audience genuinely moved and brought to laughter by lines that are *truly* funny.

As I sat there listening to Mose pull out all the stops, his voice gliding and growling, his words lilting and ironic, I pictured him jogging around the track. From where I was sitting up in the grandstand, he looked just like any little old man in blue Bermuda's, his Albert Einstein grey Afro frizzled in the humidity. But he went around that track 12 times. That's three miles, and he does it every day, and plays two or three sets every night. He doesn't move fast, but he's got staying power, and one knows he'll still be running long after all the "Sensations of the Week" have become fallen stars. As Mose himself puts it, "I'm not into music to get into something else." Mose Allison is an artist, not merely an entertainer. In an age so filled with hype that it threatens to engulf us all, Allison stands back, coolly biding his time and betting that quality will find its place. If the audience I caught in Boston is any indication, the odds are looking better for him all the time. ●

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"I TESTED OUR NEW FM CAR RADIO IN THE HEART OF THE JUNGLE."

by Steve Tillack

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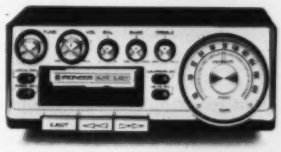

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Movies

Kids tough

By Richard Corliss

It's an adman's maxim that there are three surefire angles to sell your product with, because no prospective customer can resist watching them: children, dogs and sex. If we find ourselves glued to a TV commercial of a baby trying to spoon some yogurt into its mouth, or a videotape of an Irish setter intently following the movements of an unseen rubber ball, or the X-rated exertions of two lovers at the moment of divine fusion, it's partly because of the total unself-consciousness of the "performers." Indeed, they're not performing at all, because they're unaware of the camera. And this spontaneity—which is necessarily missing from dramatic fiction—communicates a sense of immediacy, of adventure to the viewer. Caught unawares, kids and animals and consenting adults do the darnedest things.

The problem faced by any director working with children or animals is to keep that spontaneity alive within a narrative framework and a formal frame. Too often in the movies, a child's natural appeal is codified into an adult's ideal of cloying cuteness, the better to hammer home an ideological point. Some mogul saw that five-year-old Shirley Temple had the soul of a vaudeville trouper, and turned her into a doll-sized robot: "She walks, she talks, she cries on cue." It was the rare young actress who could express anything as malignant as prepubescent bitchiness (like Bonita Granville in Lillian Hellman's *These Three*) or as poignant as the vulnerability of an unhappy childhood (like Margaret O'Brien in almost anything).

But already we're admitting the defeat of childlike innocence by the calculation of movie naturalism. Temple, Granville and O'Brien weren't children anymore, they were precocious actresses; and O'Brien was the best actress because her tiny trembling voice and big sad eyes convinced us she wasn't acting. But the spontaneity was lost in the technique. The directors of two new films have returned the lost sense of childhood—the intrigue and mischief, the dark fears and shining faith—by using radically different strategies: Alan Parker had his kids play roles they couldn't possibly identify with, and François Truffaut let the children in his film play slightly idealized versions of themselves.

Parker's **Bugsy Malone** has a premise bound to make you wince, and to swear on a stack of *Sesame Street Coloring Books* never to see the film. It's New York in 1929. Speakeasy owner Fat Sam (John Cassisi) and his gang of lovable but dumb crooks are being muscled out of their territory by the Dandy Dan mob and its new piece of underworld artillery: the splurge gun.

Bugsy Malone's splurge gun showdown: a witty apotheosis of a school play.

Fat Sam's only hope is to enlist the services of Bugsy Malone (Scott Baio), a nice guy with brains. But despite Sam's use of his *première chanteuse*, Tallulah (Jodie Foster), to lure Bugsy into the gang, our hero only has eyes for Blousey Brown (Florrie Dugger), a new girl in town with big dreams of making it in show biz. It's only to earn enough money to take Blousey to Hollywood that Bugsy agrees to help the hopelessly outmanned Sam to confront Dandy Dan (Martin Lev) in the climactic showdown.

Sound like another pointless, harmless stroll down Nostalgia Alley? Here's the catch: all these demimonde denizens are played by children, average age 12. It's a gimmick that the writers of the old *Our Gang* comedies would have disposed of in one reel, if they didn't dispose of it altogether. Even worse, the ten Dixielandish tunes (by Paul Williams) are mimed by the kids but sung by adult voices (often Paul Williams'). The whole movie is completely artificial, which turns out to be both its challenge and, oddly enough, its charm. *Bugsy Malone* is like the gangster movies a lot of us saw as kids, and that offered hoodlum saints like Cagney and Bogart as identification figures for 12-year-olds. Parker has preserved those genre conventions (the Brueghelesque faces of the bit players, the too-long car chase, the criminal overacting of the choleric gangland boss) exactly as we remembered them, and with our young lost selves in the starring roles.

Part of the pain of puberty is in the discrepancies in growing patterns among kids the same age: when you turn 13, you come back to school to find that the guy who was your best friend last semester has become a man over the summer, while you're still a boy. *Bugsy Malone* is built around contrasts like these. The children are of various ages, heights, races, vocal ranges. Some, like Scott Baio, had nev-

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er acted before; others, like Jodie Foster, seem to have made almost as many movies as John Wayne. When Jodie's Tallulah vamps Scott's Bugsy, she comes on like an experienced older woman having a little fun with a wary kid from the sticks; and the sexy, Diana Ross voice she mimes for her torch song ("I try to leave a little reputation behind me,/So if you really need to, you'll know how to find me") gives her an even greater sexual edge. Only her kid's buck teeth parody the seductiveness of the situation and remind us that, after all, we're watching a group of youngsters in the witty apotheosis of a school play—with the accent on play. Everybody (with the possible exception of the director and the kids' chaperones) looks to have had a lot of fun making the movie; the Williams score is a delight; and, best of all, there's no tendentious moral—unless it's that all kinds of people can get together, even on a movie set, and get along.

* * *

In *The Story of Adele H.*, François Truffaut tried his hand at Racinian melodrama, with the story of Victor Hugo's younger daughter (tremulously incarnated by Isabelle Adjani) suffering the slings and arrows of an outrageous fortune hunter. Many moviegoers were impressed and moved by *Adele H.*, but it seemed to me that Truffaut had reduced what must have been a grand suicidal passion to a masochistic teenage crush—or, as critic Jonathan Rosenbaum retitled the film, *Gidget Goes Hegelian*. Truffaut's strength has always been in expressing human and artistic contradictions—passion and flirtation, comedy and bathos, joy and resignation, humanism and classicism—and not resolving those polarities so much as accepting them for what they are: pieces of the mosaic of life. But *Adele H.* was an Adjani one-note aria in praise of mad love, and I never thought Truffaut believed a moment of it. The film's cool *mise-en-scène*, elegantly but autocratically keeping a rigid distance from the actors, might have been saying to us: "Very operatic, no? And perhaps a bit silly. But it has its scientific interest. We will watch."

Now, in **Small Change**, Truffaut has turned his attention from a woman who behaves like a spoiled child to a group of children who cope and cavort like high-spirited, more or less mature adults. The movie is vintage Truffaut, which is to say it's very good and it's very Truffaut. "Life is hard, but it's also wonderful," says a young teacher in *Small Change*, and that comes as close to stating baldly what his movies are about. For Truffaut is a member of that endangered species, the liberal humanist. He sees life as something not to be endured but to be cherished and fought for—desperately, as Adele did, or with a whimsical fatalism that permeates most of the lives in *Small Change:* the teachers (severe or permissive) and the children (a group of youngsters from the French provincial town of Thiers, in the last few weeks before their summer vacation).

There's a lovely scene in the film where the teacher who thinks life is hard but wonderful (and who, as played by Jean-François Stevenin, is clearly Truffaut's alter ego) stands in a delivery room where his wife is just about to give birth to their first child. Stevenin has come with his camera to record the blessed event but, mesmerized in the moment of the baby's debut, he forgets his mission and simply stares lovingly at his wife and new son. For Stevenin the event is clearly too blessed to film, and Truffaut agrees with him: *his* camera never leaves the young man's face. This is the kind of

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Torch-singing Jodie Foster (left).

movie moment Truffaut has called "privileged," and his best films are full of them. *Small Change*—an album of snapshots from the lives of half a dozen schoolchildren, their parents and their teachers—is virtually 104 minutes of privileged moments.

Many of these moments are invested in 13-year-old Patrick (Geory Desmouceaux), whom the film follows from the boy's first crush (on a schoolmate's mother) through his failure on a first date (with an equally nervous girl played by Truffaut's daughter Eva) to the quiet ecstasy of his first kiss (with an equally infatuated girl at summer camp). Patrick is a sunnier version of Antoine Doinel, the mischievous 12-year-old in Truffaut's semi-autobiographical first feature, *The 400 Blows*. And *Small Change* is a revisiting, from the perspective of Truffaut's own fatherhood, of the same territory: the no-man's land of early puberty, where childhood and teenagery meet and laugh uneasily at each other. But Truffaut has faith in his young combatants. He has summed up *Small Change* with the line, "Kids are thick-skinned," and I think he sees this toughness as the kind of moral resilience we too often lose by the time we've "grown up."

Only one of the half dozen kids whose stories weave through the narrative comes to any serious grief: Julien (Philippe Goldmann), the unwanted child of a welfare woman. Julien is a gorgeous, long-haired boy, small for his age, whose sins against society escalate from petulance to petty larceny. Every movie convention tells the audience to pity and forgive Julien; but Truffaut wants us instead to understand him, and that's more difficult, because the film refuses to romanticize his budding outlawry. Most of the other children are less challenging to the prejudices about children we bring into the film, with the possible exception of little Sylvie, an eight-year-old vixen who exacts a willful and hilarious revenge when her parents punish her by leaving her alone in her apartment. When she grows up, Sylvie will break not laws but hearts, which, considering the way she goes about it, ought to be a felony.

If enough time passes, any traumatic experience can be turned into an anecdote. Time not only heals all wounds, it tends to trivialize pain. The very fact that as adults we've somehow managed to survive childhood may make us tolerant of, and a little condescending to, the small crises of the children in *Small Change*. But Truffaut works heroically—and, I think, successfully—to let us see that kids are just like us. Only different. The difference is that, as Stevenin's radiant young wife expresses it, "Kids are in a state of grace." So are movies like these: the witty and exuberant *Bugsy Malone*, the sweet and wise and very beautiful *Small Change*.

Music

Riffs on the fiddlers

By Frank Conroy

The violin has never been popular in jazz, perhaps because, even though a great deal can be done with it, it remains essentially a legato instrument. To get the staccato effects necessary for the flowing rhythmic patterns of jazz with a bow, one has to play the violin very well indeed. There is pizzicatto, of course, in which the strings are plucked with the fingers, but a plucked violin just doesn't sound like much. Nevertheless, a number of brave souls through the years have played jazz on violin, and some of them have made very good music.

Stephane Grappelli is perhaps the best. In the early thirties, Grappelli was a member of the legendary Quintet of the Hot Club in Paris—a group dominated by the late Django Reinhardt, a gypsy guitarist of almost unbelievable skill, who laid down the foundations of modern jazz guitar. Reinhardt was a hot, driving player ("A brute," Grappelli told me. "He was a brute, but what a player!"), Grappelli was elegant, and the mixture worked. Grappelli became a master of improvisation. His sense of time was, and is, impeccable, and he developed a way of phrasing for the violin which honored the great horn players at the same time as it explored the possibilities of his own instrument.

Grappelli has worked in Europe most of his life, but it was not until 1969 at Newport that the French jazz veteran made his American debut—a star-crossed event by all accounts. His subsequent tours, however, have been warmly received; indeed, with the resurgence of interest in the music of the thirties and forties, Grappelli has been

playing before American audiences whose respect and admiration are so intense as to almost hang tangibly in the air, like scent.

Such was the case this past summer at New York's Reno Sweeney, where I dined with Grappelli before his first set. The 68-year-old held court with enthusiasm. Between dealing with various admirers coming to the table, some speaking French and some English, and all answered in kind, he cocked an ear to hear the tremulous young folksinger doing the warm-up set in the main room. "There were two people I couldn't listen to," he said. "Edith Piaf and Sidney Bechet. Too much vibratto. All together too much vibratto, but everyone else loved them." He wouldn't criticize the girl directly. "What I like is elegance. The pure line, without trimmings." Grappelli has been famous, half forgotten, and is on his way to becoming famous again. There is the sense, in talking to him, that none of that means very much to him anymore. He is more interested in style for its own sake, in the pleasure that can be taken in relating to people according to form.

This was made evident when the violinist took the stage. Grappelli—who is playing better than he did as a young man—attempted to recreate some of the feeling of the original quintet, only this time, and wisely, without a drummer. Hard, four to the bar chords from two guitars, solid lines from an acoustic bass and soaring violin lines. The solos are cogent, inventive and executed with strength and finesse. His tone is warm and full-bodied, comparing favorably with Menuhin, with whom he has played duets. On tunes like "I Can't Believe That You're In Love With Me" or "Sweet Georgia Brown," he gets a kind of lilting hotness in his attack, swinging along with tremendous force without, somehow, losing any of the elegance. He has found a way to play without any sense of strain. He doesn't try to bend the violin into something else, and there is no immediate sense of him accomplishing some incredible feat of freakish technique. He simply plays—the best tunes of Cole Porter, Fats Waller, Ellington and others, and some contemporary music, including the compositions of fellow violinist Jean-Luc Ponty—and his thinking is a perfect balance of jazz thinking and violin thinking. There is a satisfying wholeness, a sense of completeness to his music, unmatched by any other jazz fiddler.

Grappelli, Joe Venuti (Ponty's American counterpart) and a few others played jazz violin in the thirties and forties, and they were famous for it. They contined to play in the fifties and sixties, and were unknown except to musicians. The instrument lost favor because in those years bebop, bop, hard bop and cool were the significant styles in jazz, and those styles are not comfortable with violin styles. It was not until the advent of rock—with its legato lines, open forms (no more two-changes per bar, two modulations, 32 bars and out) and its emphasis on sound for its own sake—not until then could the violin be brought back in. Grappelli was first heard by young audiences playing with Pink Floyd.

Jean-Luc Ponty, the young French fiddler who can be thought of as the next player after Grappelli, despite a 35-year age gap, sprang up just as rock music began to be really interesting. The son of a violin teacher and a master player in the classical forms while still in his teens, Ponty played rock and jazz and began to put the two together at the same time that the two were moving together of their own accord. Grappelli influenced him, as did Stuff Smith. Ponty's solutions to the problems of playing jazz on a violin are quite different from Grappelli's, however. Rather than building his lines with the traditional eight-note feeling, Ponty swoops and soars around, playing glisses and sliding notes, imitating a sitar one moment and a saxophone the next. His improvisation is much more open, more outside, as musicians put it, than Grappelli's, and whereas Grappelli plays highly structured lines and seems always to know exactly where he is and where he's going, Ponty plunges into a sort of controlled frenzy of romanticism, following his instrument wherever it takes him. (For all the modern feeling, he plays more licks than Grappelli.) To get the rhythmic pulse, he relies on electricity more than syncopation, using phasers, echo chambers, etc., with great care. A particularly modern player, his work reflects jazz, rock and classical styles in equal measure.

Inner City records has released an album of Ponty and Grappelli (IC 1005) in duet, playing tunes composed by Ponty, which is worth going through some trouble to get. (Inner City is a small label, and you might have to ask around.) Ponty's lovely composition "Golden Green," which reminds Grappelli of Satie, is included, as well as "Bowing-Bowing" and a spirited "Memorial Jam For Stuff Smith" based on the changes to "Sweet Georgia Brown." There are fierce shifts of mood and style, sometimes very abrupt, contrasting Apollonian Grappelli with Dionysian Ponty in a fascinating dialogue. Both men seem to be having a lot of fun, and the music is filled with a sense of their affection for each other.

At the present moment, violinists seem to be popping up all over the place, emerging from country hoedowns and conservatory jam sessions to play what some critics call fusion music, the music of the seventies, an eclectic sound fusing the best of many styles. The examples of Grappelli, with his seemingly effortless clarity, and Ponty, with his reckless modern romanticism, have obviously inspired a new wave of brave souls to fool around with all that space in between. It will be interesting to see what they come up with.

H.P. ARNAUD

Grappelli and Ponty: fusing structure with frenzy.

Dreams So Real/Music of Carla Bley, *Gary Burton Quintet* (ECM Polydor ECM-1-1072). Bley's music has an academic flavor and it's very white, but this record is worth listening to. Gary Burton plays freely in the modern style, and Steve Swallow gets a lot out of the electric bass.

Timeless Aura, *James Moody* (Vanguard VSD 79366). Moody plays right down the middle of the road, just as he's done for 25 years. A fine, mellow, swinging saxophone. The feeling is bluesy, and the supporting cast (Bob Cranshaw, Joe Newman and Kenny Barron) are pros.

Heritage, *Eddy Henderson* (Blue Note BNLA 636). This elaborate record is packaged as a jazz record, and most of the musicians are familiar jazz names—Julian Preister, Paul Jackson and Henderson himself. But most of the record is disco, reasonably good disco; don't buy it for jazz. What heritage, I wonder, does the title refer to?

The Main Force, *Elvin Jones* (Vanguard VSD 79372). The tunes are all riff based or derivative ("Sweet Mama" is warmed-over Coltrane), but it hardly matters. Elvin is the point, and Elvin is one of the most exciting drummers alive. A veritable Iron Horse. "Song Of Rejoicing After Returning From A Hunt" is 15 minutes based on Djoboko rhythm of the Ba-Benzele pygmies. It sounds dull, but it isn't.

Books

The boundaries of expectation

By Geoffrey Wolff

What Really Happened to the Class of '65? *by Michael Medved and David Wallechinsky.* Random House (285 pp., illustrated, $10).

The January 1965 issue of *Time* magazine presented a profile of that year's graduating class at Palisades High School, in Pacific Palisades, California, an affluent neighborhood of Los Angeles. Two members of that class were authors of this book of recollections and interviews. Michael Medved went on to graduate from Yale and to attend Yale Law School. He worked for Eugene McCarthy and Robert Kennedy in 1968 and later wrote speeches and position papers for a variety of politicians. His colleague is the son of Irving Wallace, a vegetarian and the author of books about the salubrious effects of laughing gas and organic foods. He is the co-author with his father of *The People's Almanac*, a recent best seller and potpourri of information

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which he designed.

This book is a fascinating document, at least as funny as the *National Lampoon*'s wonderful bogus yearbook from Dacron, Ohio's C. Estes Kefauver Memorial High School, class of '64. Not that Medved and Wallechinsky are holding up for ridicule their former classmates; quite the contrary, as might be anticipated from a book that uses as its epigraph the legendary opening of Dickens' *Tale of Two Cities*: "It was the best of times, it was the worst of times. . . ." No: this book is serious—even earnest—in its quest for exemplary principles, its responsibility to history, its compassion, its self-consciousness.

Yet here are caricatures rather than characters, figures kidnapped from the *Time* profile by the *National Lampoon*: the dumb jock, cheerleaders who might in their fictional incarnation have jumped and clapped with the Kangarooterettes or the Kangarooter-Backer-Boosters. Here is the identical twin of Larry Kroger, Kefauver's primary weenie and here called "The Outcast." If the *Lampoon* displayed a girl named "Quickie" ("I never met a man I didn't like"), Medved and Wallechinsky present a school pump they call "The Bad Girl" ("I kept a running list. I counted 425, and then I stopped counting"). The *Lampoon*'s sappy poet, Faun, is replicated by such another bard in black leotards, recollected by her teacher as "always crying," by a classmate as "a dreamer," the author of "Wanderer": "Wandering free from the sights of man,/ Free! that, my life must be:/ Free to roam and journey far/ With dust on my heels of lands I mar,/ Glorying in the clouds, wrapped in the sun,/ Free with the flying winds to run/ To the ends of the earth, my arms flung free/ To catch the raindrops, the roses, the sea."

What a mess of wandering bards and seers Pali High produced! Of course their mummies and daddies, working off a median family income of $42,000, could afford the tickets, but even so, this was a mobile class of 300. Busted for smuggling dope in Lebanon, for using in Mexico, or on Interstate 91. Off to India, see the guru, old Ram Dass himself, or the swami in San Diego, always on the move, and into themselves, a poor, miserable, drifty pack. More than 40 were arrested during the ten years following their graduation on drug charges, and only one served in Vietnam, and he came home, happy to tell, whole . . . later to spend 18 months in a Lebanese prison.

The Pali High quarterback is a masseur and a disciple of Mystical Traveler Consciousness. The school's chiefmost intellectual ("By age sixteen

The Bad Girl, Pali High '65; reunion '75: a ten-year tale of disappointed expectations.

in 1965, I had long known that I possessed an incredible mind") had at one time or another transactions with the Vedanta Society, the Meher Baba fan club, Nichiren Shoshu Buddhism and the Sea Org, "the elite corps of the scientology movement." He is now a disciple of Ayn Rand and a member of the John Birch Society. Once upon a time, like most of these subjects, he tried Transcendental Meditation. (David Wallechinsky, who has changed his name from David Wallace, studied TM with Maharishi Mahesh Yogi and, among other Seekers of the Ancient Wisdoms of the East, was a jock-turned-soap-opera-actor who killed himself, and whose representative memento mori were "a copy of Kahlil Gibran's *The Prophet* and a string of Oriental meditation beads." Yet another is in the Hare Krishna movement.)

The Intellectual was unusual, however, in that he had no use for drugs. The Bad Girl (all but two of these characters are accurately identified by name, employment and present circumstance) recounts a trip to Mexico: "When we got down there we met an LSD freak from Texas. He was jumping parole over the border and just wanted to read Kahlil Gibran and live his life. We looked very hippie and everything, so he shared his trailer with us. We went to Ensenada and picked up some heroin and I tried heroin. Got marks on my arm, and you can still see them."

Most of these people are proud of their screw-ups. They try this state college and that commune. They work for a bit, drift back to college, try surfing or odd diets, another mate, anything for a shift, something to make the time pass more easily. A couple wound up in mental hospitals, one of them a half-Jewish anti-Semitic Jesus nut who hears His voice come to her from the screen of her 17-inch portable.

For novelty there are squares. One of them most wonderfully confesses (imagine his shame!) that "I've never been able to hate my parents. I've never been able to reject them." Another loves his ledgers: "If I had a choice to do anything other than accounting, I'd choose to have sex. But sometimes I don't know what I'd put first. That's the problem." The Bad Girl has decided, with some evident regret, that "it's time for me to go after the almighty dollar and to hell with everything else." Many of them seem to think of themselves as writers. One of them, having allowed her infant to be pictured at suck, hanging from her huge hanging breasts, a dopey grin on her face, is representative: "I do some writing, some reading, some spinning of wool."

All of this—bux, the Cosmic Consciousness, writing—is of a piece. A wise-guy classmate among them, now a wise man, got it just right: "Everybody was going to be famous. Everybody was going to be rich." This is a composite tale of disappointed expectations, and it is excellently presented. The subjects, with perhaps two exceptions, are well chosen. The interviews are edited with skill and tact, and again, with only two or three exceptions, the authors have displayed considerable maturity and sympathy in their arrangement and description of their material. Before I read this book, I knew that I would not for anything wish to be 18 once again. Now I thank God that I am not 28, or at least that I am not 28 in 1976. These are sad and saddening stories, self-revealing and utterly unaware of what they reveal. It is to the authors' credit that they leave open the question of their own self-awareness and refuse to impose judgments upon their brothers and sisters from Pali's class of '65.

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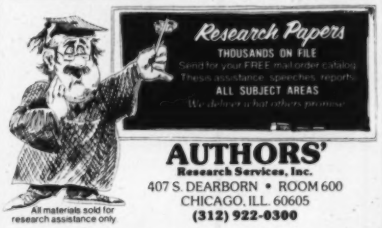

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Food

One smart cookie/By Arthur Lubow

The chocolate chip cookie has gone show biz. Here in Bloomingdale's on the East Side of New York, near the Fauchon fir tree honey and the Patissier Grand Marnier chocolate-enrobed dessert cakes, there stands a commanding sign: "Direct from Hollywood!—The one and only Famous Amos Chocolate Chip Cookies." Next to the shelves of brown-bagged cookies ($3 a pound) are piles of Famous Amos T-shirts ($7-14), umbrellas ($18), belt buckles ($10) and belts ($13-20). And amidst it all towers the chocolate-skinned, bearded Wally Amos, the patriarch, resplendent in tinted glasses, yellow Famous Amos T-shirt, pre-faded jeans, blue-and-yellow Tucson Toros baseball cap, wicker sandals and a very wide grin.

"What is the secret of my success?" Wally asks rhetorically. "It's me. I keep it moving. I make it work. It's a miracle, it's a miracle , it's an absolute miracle." Two years ago Wally was a Hollywood agent looking for a way out. "I'd been making chocolate chip cookies for four and a half years as a hobby, just for the hell of it," he recollects cheerfully. "People always said, 'You should sell them.' I just got great satisfaction out of baking them and giving them away. But when I started thinking of alternative ways of making a living, by process of elimination things just sort of led to chocolate chip cookies." His friends Helen Reddy, Marvin Gaye and United Artists President Artie Mogull put up the $25,000 for his first store, which opened in Los Angeles on March 10, 1975. Now he has three stores and many other outlets. In his first year, he grossed over $300,000. "I will probably become a millionaire," he chuckles. He sounds like his California governor when he says: "I kind of deal with it as it comes. It just kind of unfolds naturally."

Wally's friend, dress designer Barbara Dulien, visited his Los Angeles shop a year ago. As soon as she tasted his cookies, she said, "You simply must be in Bloomingdale's." She sent the cookies as Christmas presents to Bloomingdale's executives. She introduced Wally to Marvin Traub, the store's president. It was a marriage made in merchandising heaven. "The cookie is doing so unbelievably well that in my 25 years at Bloomingdale's I have never seen anything like it," says food division manager Robert A. Gumport.

One of the few clouds on Wally's horizon is his major competitor, Jerry Kates, a former movie producer. Jerry is marketing his own $2.95-a-pound brown-bagged cookie. He calls it "The Famous Chocolate Chip Cookie." The creator of the "Famous Amos Chocolate Chip Cookie" calls it a ripoff. "This is my idea," Wally Amos says. "This guy Jerry Kates is not going to make it. I've tasted his cookies. They're just commercial cookies." But in less than a year, Jerry Kates has established outlets in 37 states. He is selling 50,000 pounds of cookies a week, and he has his own criticism of Wally Amos: "The cookie inside the bag has no relation to the cookie he pictures outside the bag. That's clearly against the law."

IVAN MASSAR/BLACK STAR

Mrs. Wakefield inspects the world's largest Toll House cookie, baked in Boston last year and weighing 190 pounds.

It is a little leap of the imagination to go from the small, undeniably tasty Famous Amos cookie you can gobble (a cookie that, incidentally, tastes remarkably similar to the Jerry Kates version) all the way to the gargantuan Technicolor cookie, bulbous with chocolate chip and nuts, that appears on the Famous Amos brown bag. Chalk it up to artistic license. There are more serious inaccuracies in the packaging. On the back of the bag appears "a brief history of the chocolate chip cookie," which alleges that in 1929 "in a tiny farmhouse kitchen in Lowell, Massachusetts" the first chocolate chip cookie was baked. How was this fable concocted? "I think chocolate chip cookies have a very important place in American history," says Wally Amos. "I thought there'd be volumes written on the chocolate chip cookie, but when I went to the library, I found nothing but recipes. So I called my friend Chuck Casell and said, 'We've got to establish a history for chocolate chip cookies because there is none.' He said, 'When were they invented?' Somewhere I saw 1929 in Massachusetts, so I said, '1929.' He said, 'Give me a city.' At the time, I was managing a guy named Lowell Fulson. So Lowell just came out, and he put it together. It's a comedy, man. This whole thing is fun. It's a fun trip." But what about the real inventor of the chocolate chip cookie? "Shit, man. No one invented the chocolate chip cookie."

Wrong, Wally. For in the beautiful Massachusetts seaside town of Duxbury, at the end of a country lane, overlooking the ocean and a private dock, there stands a green and brown mansion surrounded by pine trees. A sailing ship weather vane flutters above, alongside an imposing flagpole, and white petunias and pink carnations festoon a lovely window box. It is the home of Mrs. Ruth Wakefield, a grey-haired lady in her seventies. For 40 years, Mrs. Wakefield and her husband ran the Toll House Inn in Whitman, Mass. In 1938 Mrs. Wakefield created the chocolate chip cookie.

It was simple, just as the invention of the wheel seems obvious in retrospect. To a traditional butter drop-do cookie Mrs. Wakefield added bits of a semisweet chocolate bar that she had broken up with an icepick. The recipe spread like wildfire. Soon the people up at the Nestlé Company were wondering why sales for their semisweet chocolate bar, which they had been planning to discontinue, had soared 500 percent in New England. A Nestlé executive came to investigate and quickly bought all rights to the recipe and the name "Toll House cookie." "I signed off for a dollar—of course, you never see the dollar," Mrs. Wakefield says wryly. "I was always brought up in college to think that a professional person doesn't enter the commercial world."

Soon Nestlé was marketing its

semisweet bar with Mrs. Wakefield's recipe on the back. Nestlé perforated the bar and enclosed a special cutter, until technological advances paved the way for the chocolate morsel, which came out just as the United States entered World War II. "For the first morsels, substitute sugar was used, because it was wartime and sugar was rationed," recalls Bill Bell, a Nestlé executive. "It turned hard and people cracked their teeth on them." But soon the bugs were ironed out and the semisweet chocolate morsel became a Nestlé warhorse. "It was really just by accident that I used Nestlé chocolate in the first place," Mrs. Wakefield says. "I had intended to use Baker's dipping chocolate made nearby in Milton, but our wholesaler didn't have any." For Nestlé, it was an accident right up there with the petri dish mold that became penicillin.

"They've begun to put out a prepared cookie mix, but it uses vanillin instead of real vanilla, so I wouldn't want to have anything to do with it," Mrs. Wakefield says. She

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Cookie chef Famous Amos.

worked for Nestlé as a consultant for years, yet still found time to write a cookbook that has enjoyed 39 printings. She is now living quietly in retirement, secure in the knowlege that her simple recipe—flour, butter, white and brown sugar, eggs, salt, baking soda, vanilla, water, chocolate chips and chopped nuts—is still unrivaled. In 40 years there have been many imitations. But Mrs. Wakefield and her original cookie remain the genuine article. Asked which cookie she preferred, Wally Amos' or Jerry Kates', Mrs. Wakefield politely declined to comment. Would Rembrandt have favored Norman Rockwell or Jamie Wyeth? ●

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Final Tribute

The Second Going of Harper's Weekly / By Flo Conway and Jim Siegelman

Harper's Weekly is dead again. The attempt to revive one of the most famous logos in American journalism as a "reader participation" newspaper failed, just as everyone predicted.

It was a noble idea: to give the mass media back to the masses. To put the audience at the heart of the editorial process. But it never turned a profit, and it was never accepted by either the established press or the general reading public. It's too bad, because the failure was not so much in the idea as in how it was carried out.

Readers are happy to participate, make no mistake about it. From the outset, *Harper's Weekly*'s 50,000 readers sent in 1,000 pieces of mail each week, and editor Tony Jones and his crew of six read every one in search of the mere dozen or two that were needed to fill the paper.

The best non-writers wrote from the authority of their own experience. A woman in Michigan revealed how the supermarket she worked in disguised and sold its rotten meat: "The soaked ham is eventually rubbed with molasses or oil to further conceal the stench. . . ." A California man relived his attack by a white shark: "He released me in mid-air, I fell back down in the water upright. I was never disoriented. My head never went below the surface. . . ."

Harper's Weekly's canons of reader participation stated that everyone has at least one story to tell: his own. Even the weirdos had charm. A man in Kansas wrote us a heart-rending description of his living room. A Los Angeles psychiatrist sent in taped cassettes because he "always had trouble being spontaneous." A Virginia inventor mailed us a perpetual motion machine made from two magnets and a Frosted Oat Flakes box.

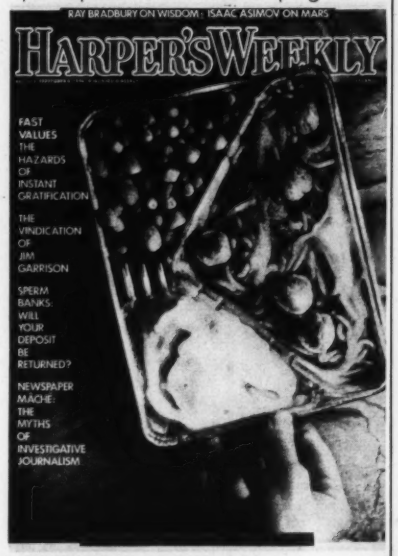
We published them all.

It was a powerful idea, reader participation, but no one foresaw the dangers, like when we printed two pieces by a Kansas kitchen-cabinet salesman who promptly quit his job and headed East to bask in literary superstardom. Or the Louisiana widow who wrote repeatedly, hoping to contact her dead husband through our pages. Too often, the *Weekly* took its own crusade too seriously, providing a forum for the bleeding hearts, the bores, the uninformed and those who were simply resentful of the established media.

Nor were we equipped to handle the avalanche we set off. In no time at all, our offices piled up with stacks and bags and cartons of unopened mail. Then came waves of registered follow-up letters demanding to know what happened to people's wonderful contributions. But we'd fallen months behind.

Harper's Weekly didn't stand a chance. It was started on a recession, shoe-string budget during a management crisis at Harper's, and it was never given the resources it needed to do justice to the idea. With no help and meagre facilities, the *Weekly*'s staff of professional journalists never got beyond the mountains of mail to do the job for which they had been hired: carving the publication. As a result, *Harper's Weekly* never developed a personality of its own. There was no voice to lead its audience or provide direction for its writers. The mail just poured in.

This Week Readers Have the First Word
West Virginia: Fighting Over Coal and Books
Washington Counterpoint: A Toast to Decline
HARPER'S WEEKLY
A JOURNAL OF CIVILIZATION


RAY BRADBURY ON WISDOM; ISAAC ASIMOV ON MARS
HARPER'S WEEKLY
FAST VALUES THE HAZARDS OF INSTANT GRATIFICATION
THE VINDICATION OF JIM GARRISON
SPERM BANKS: WILL YOUR DEPOSIT BE RETURNED?
NEWSPAPER MACHE: THE MYTHS OF INVESTIGATIVE JOURNALISM

Harper's Weekly, *from new beginning . . . to end.*

Despite the chaos, some of those early issues showed the potential of a national reader-written newspaper. One reader's request for information netted 150 personal responses. A one-week sampling of reader's dreams spurred lively debate on collective consciousness. In its first year, our makeshift communication network produced surprising articles on divorce from a child's viewpoint, epilepsy from a victim's—and behaviorism from a chimpanzee's. For a while there, the *Weekly* truly was the "national conversation" we envisioned. Repeatedly, we heard of other publications that picked up contributions from our pages and took off from stories we printed first.

But the damn thing just wouldn't fly. The advertising never came in; the p.r. never went out and the editors themselves began questioning the idea—and the company—when they saw the venture going under.

Several months before it died, a last-ditch attempt was made to reconceive the publication. Almost all the original staff had left by then, exhausted and disillusioned after a year or more of endless mail. Under Harper's new management, incoming editor Peter McCabe took a wise step away from the pure form of reader participation that was swamping the publication, setting out "to consolidate many of its early experiments and produce a less fragmented and more focused editorial." The move came too late, though, and the new staff mercifully put the poor thing out of its misery on September 6.

In its short life, *Harper's Weekly* was called everything from "Amateur Hour" to "the one you don't have to read." At its worst, it was a naive, ragged free-for-all. At its best, it was a new focus in mass communication. The *Weekly*'s noisy, crowded pages teemed with life. In this era of unrelieved slickness, it was a refreshing eyesore.●

Flo Conway was managing editor of the late Harper's Weekly. *Jim Siegelman was a staff editor and contributing writer*